



Correspondence Management System
Congressional Search Results
Search Date: July 11, 2013

2013-206521

TERRY, LEE-U.S. House of Representatives-R/NE/DC

Total: 50

Control No.	Status	Letter Date	Received	Subject	Last Action
AL-0200704	CLOSED	Mar 25, 2002	Apr 22, 2002	REQUESTING POSTPONING THE OCTOBER 2002 HEAVY-DUTY ENGINE REQUIREMENT FOR 12 MONTHS	Sabrina Hamilton Status Changed: SIGNATURE
AL-08-000-3368	Closed	Mar 11, 2008	Mar 13, 2008	NOT SELECTED TO BE A MEMBER OF THE FEDERAL ADVISORY COMMITTEE FARM, RANCH AND RURAL COMMUNITIES/ CONSIDER HIM FOR AN ALTERNATE POSITION OR ANY VACANT POSITION THAT MAY ARISE	Kathy Mims Control Closed
AL-08-000-4813	Closed	Apr 10, 2008	Apr 14, 2008	CONCERN OVER THE NEED FOR REGULATORY CERTAINTY TO ENABLE RAPID DEPLOYMENT OF CAPTURE AND STORAGE OF CARBON DIOXIDE (CO2)	Cassandra Eades Control Closed
AL-08-001-5389	Closed	Nov 26, 2008	Dec 08, 2008	GREENHOUSE GAS EMISSIONS/ EPA-HQ-OAR-2008-0318	Kathy Mims Control Closed
AL-0300664	CLOSED	May 20, 2003	May 21, 2003	ENSURE THAT ADEQUATE LEVELS FOR FUNDING ARE PROVIDED TO COMPLETE THE CLEANUP OMAHA'S SUPERFUND SITE	Nancy Surber Lead assg made to: SUPR
AL-0400925	Closed	Jul 09, 2004	Jul 13, 2004	GROWING CONCERN IN THE OMAHA COMMUNITY REGARDING THE MANNER IN WHICH EPA IS COMMUNICATING WITH RESIDENTS AND COMMUNITY LEADERS	Cynthia Gaines Control Closed
AL-06-000-4563	Closed	Feb 14, 2006	Mar 21, 2006	OMAHA LEAD SUPERFUND SITE	Cassandra Eades Control Closed
AL-09-000-2318	Closed	Feb 24, 2009	Feb 25, 2009	OMAHA LEAD SUPERFUND SITE FINAL REMEDY SELECTION	Kathy Mims Control Closed
AL-10-002-0323	Closed	Dec 08, 2010	Dec 10, 2010	REGARDING EPA'S AND DOT'S PROPOSED REDESIGN OF FUEL ECONOMY LABELS	Kathy Mims Control Closed
AL-12-000-1690	Closed	Jan 24, 2012	Jan 30, 2012	NATIONAL EMISSION STANDARDS FOR COAL AND OIL-FIRED ELECTRIC UTILITIES/ UTILITY MACT	Kathy Mims Control Closed
AL-12-000-9943	For Your Information	Jun 08, 2012	Jun 11, 2012	FOLLOW UP ON PRIOR REQUESTS FOR AN ESTIMATE OF THE TOTAL COST OF THE EPA'S UTILITY MACT RULE ALSO KNOWN AS THE MERCURY AND AIR TOXICS STANDARDS RULE	Cassandra Eades Forward control to Cheryl MacKay
AL-12-001-2482	Closed	Jul 25, 2012	Jul 26, 2012	BIPARTISAN LETTER TO EPA/OMB CONCERNING PENDING CAFE/GHG RULES AND THEIR TREATMENT OF NGV's	Kathy Mims Control Closed
AL-12-000-9258	Closed	May 29, 2012	May 30, 2012	QUESTIONS/ EPA'S USE OF AERIAL SURVEILLANCE INSPECTIONS OF REGULATED LIVESTOCK OPERATIONS IN NEBRASKA	Cassandra Eades Control Closed
AL-13-000-6456	Pending	Jun 17, 2013	Jun 18, 2013	SEEKING CLARIFICATION ON FOUNDRY ENFORCEMENT	Bobbi White Sent to Cassandra Eades for extension request
R7-08-001-5656-C	Closed	Dec 12, 2008	Dec 12, 2008	Request extension on the Public Comment Period for the Omaha Lead Site ROD	Nancy Surber Control Closed
AL-12-000-9804	Closed	Jun 06, 2012	Jun 07, 2012	REQUESTING INFORMATION AND DOCUMENTS CONCERNING DR. ALFREDO J. ARMENDARIZ FORMER REGIONAL ADMINISTRATOR FOR EPA REGION 6	Kathy Mims Control Closed
AL-0300375	CLOSED	Mar 06, 2003	Mar 21, 2003	ASSISTANCE TO FINALIZE THE NECESSARY 404-PERMIT FOR CONSTRUCTION OF A WELL FIELD AND WATER TREATMENT PLANT NEAR OMAHA, NEBRASKA	Toni Lake Lead assg made to: WD
AL-05-001-4008	Closed	Sep 15, 2005	Sep 19, 2005	Follow-up on May 26, 2005 meeting regarding the cleanup and enforcement actions at the Omaha Lead Site	Cynthia Gaines approved and closed control
AL-10-001-2717	Closed	Jul 29, 2010	Jul 29, 2010	COAL COMBUSTION RESIDUALS (CCRs) PROPOSED RULE (DOCKET NO. EPA-HQ-RCRA-2009-0640)	Kathy Mims Control Closed



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✓ AL-11-001-8223	Closed	Oct 26, 2011	Oct 27, 2011	REQUEST INFORMATION REGARDING RECENT LAWSUITS, SETTLEMENTS AND CONSENT DECREES RESOLVING LITIGATION FILED AGAINST THE EPA	Cassandra Eades Control Closed
AL-0401193	CLOSED	Sep 14, 2004	Sep 16, 2004	INVITATION/VISIT THE CITY OF OMAHA	Cynthia Gaines Corresp Closed
AL-05-001-1582	Closed	Aug 01, 2005	Aug 02, 2005	OMAHA LEAD SITE/REQUEST A FULL BRIEFING IMMEDIATELY AFTER RECESS CONCERNING EPA'S PROGRESS TO IDENTIFY OTHER RESPONSIBLE PARTIES TO PARTICIPATE	Cassandra Eades Control Closed
AL-12-000-5983	Closed	Mar 30, 2012	Mar 30, 2012	TIER 3 REGULATIONS AND THE AGENCY'S BUDGETARY RESOURCES	Kathy Mims Control Closed
AL-06-001-2272	Closed	Jul 26, 2006	Jul 28, 2006	NEBRASKA FARMERS EXPRESS CONCERNS REGARDING THE AGRICULTURAL CHEMICALS THEY HAVE AVAILABLE TO COMBAT PESTS/ CARBOFURAN	Cassandra Eades Control Closed
AL-10-001-6237	Closed	Sep 27, 2010	Sep 28, 2010	NATIONAL AMBIENT AIR QUALITY STANDARDS (NAAQS) FOR PARTICULATE MATTER (PM)	Kathy Mims Control Closed
AL-12-000-1441	Closed	Jan 24, 2012	Jan 26, 2012	REGARDING UTILITY MACT RULE SIGNED ON DECEMBER 16, 2011	Cassandra Eades Control Closed
AL-12-001-3331	Closed	Jul 31, 2012	Aug 10, 2012	EPA'S PROPOSED RULE GOVERNING COOLING WATER INTAKE STRUCTURES UNDER SECTION 316 (b) OF THE CLEAN WATER ACT	Kathy Mims Control Closed
AL-11-000-7462	Closed	May 11, 2011	May 12, 2011	QUESTIONS/ THE FUEL HARMONIZATION STUDY	Cassandra Eades Control Closed
✓ AL-11-001-8452	Closed	Nov 01, 2011	Nov 01, 2011	REQUEST INFORMATION REGARDING RECENT LAWSUITS, SETTLEMENTS AND CONSENT DECREES RESOLVING LITIGATION FILED AGAINST THE EPA	Kathy Mims Control Closed
AL-06-002-0334	Closed	Dec 08, 2006	Dec 12, 2006	REUEST THAT EPA GIVE FULL AND FAIR CONSIDERATION TO CERTIFYING AFERMARKET FLEXIBLE FUEL CONVERSION TECHNOLOGIES	Kathy Mims Control Closed
AL-09-000-5358	Closed	Apr 10, 2009	Apr 16, 2009	SEEKING APPROVAL WITHOUT DELAY OF THE RECENT APPLICATION FOR APPROVAL FOR USE OF AN ETHANOL-GASOLINE BLEND CONTAINING UP TO 15 PERCENT ETHANOL BY VOLUME (E-15)	ADMIN Diann Frantz CC aborted due to user office changed.
AL-10-000-4462	Closed	Mar 16, 2010	Mar 25, 2010	REGARDING THE LEAD-SAFE RENOVATION, REPAIR AND PAINTING (RRP) PROGRAM	Kathy Mims Control Closed
AL-10-000-5044	Closed	Apr 01, 2010	Apr 06, 2010	EPA MAY ISSUE A RULE PERTAINING TO THE CONDITIONAL EXCLUSION FROM HAZARDOUS WASTE AND SOLID WASTE FOR SHOP TOWELS/ EPA-HQ-RCRA-2003-0004	Kathy Mims Control Closed
AL-12-001-9865	Closed	Nov 30, 2012	Dec 04, 2012	FOLLOW UP TO EARLIER REQUEST FOR THE EPA TO MAKE AVAILABLE TO PUBLIC IMPORTANT INFORMATION CONCERNING RULEMAKING PETITIONS AND NOTICES OF INTENT TO SUE	Kathy Mims Control Closed
AL-11-000-5941	Closed	Apr 14, 2011	Apr 18, 2011	REGARDING THE "CLEAN WATER PROTECTION GUIDANCE" FOR REGULATORY REVIEW	Kathy Mims Control Closed
AL-11-001-0223	Closed	Jun 22, 2011	Jun 27, 2011	REGARDING THE EPA'S VOLUNTARY RECONSIDERATION OF THE 2008 NAAQS FOR GROUND LEVEL OZONE	Cassandra Eades Control Closed
AL-11-002-1524	Closed	Dec 19, 2011	Dec 29, 2011	TIER 3 FUEL REGULATIONS AND THE REFINERY SECTOR RULEMAKING	ADMIN Diann Frantz CC aborted due to user office changed.
AL-12-000-8113	Closed	Apr 27, 2012	May 08, 2012	HOW ENFORCEMENT POLICIES ARE BEING DEVELOPED AND IMPLEMENTED	Kathy Mims Control Closed



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				IN REGION 6	
AL-0400974	CLOSED	Jul 19, 2004	Jul 21, 2004	EPA'S NOTICE OF PROPOSED RULEMAKING ENTITLED, "HAZARDOUS WASTE MANAGEMENT: IDENTIFICATION ...-CONTAMINATED INDUSTRIAL WIPES." URGE EPA TO EXPEDITIOUSLY FINALIZE THIS RULE	Judith Lewis Assg returned to AL
R7-05-000-6433-C	Closed	Apr 19, 2005	Apr 21, 2005	public relations with Omaha residents	Nancy Surber Control closed by user.
AL-07-001-6120	Closed	Sep 27, 2007	Oct 04, 2007	INVITE/ PRESENT THE ENERGY STAR TO THE UNION PACIFIC RAILROAD COMPANY	KevinJ Bailey Closed control by finished FYI task
AL-11-001-7911	Closed	Oct 24, 2011	Oct 24, 2011	REQUEST INFORMATION/ EPA'S CONTRIBUTION TO THE FEDERAL GOVERNMENT'S UNEXPENDED BALANCES	Kathy Mims Control Closed
AL-04-000-2968	Closed	Dec 09, 2004	Dec 13, 2004	REQUEST THE DELAY OF THE ISSUANCE OF AN INTERIM RECORD OF DECISION (ROD) FOR THE OMAHA LEAD SITE UNDER THE SUPERFUND PROGRAM	Cynthia Gaines Control closed by user.
AL-07-000-2245	Closed	Feb 07, 2007	Feb 08, 2007	REQUEST THAT FUNDING FROM YOUR AGENCY'S DISCRETIONARY ACCOUNT FOR THE REMAINDER OF FISCAL YEAR 2007 CONTINUES TO BE DEVOTED TO RURAL WATER INITIATIVES	ADMIN Steven Kinberg CC aborted due to user office changed.
AL-10-001-5820	Closed	Sep 14, 2010	Sep 21, 2010	SUPPORT FOR EPA'S EFFORTS TO INCREASE THE USE OF ALTERNATIVE FUEL VEHICLES	ADMIN Diann Frantz CC aborted due to user office changed.
AL-11-001-3062	Closed	Jul 27, 2011	Aug 03, 2011	CONCERNS WITH THE IMPLEMENTATION OF THE OIL SPILL PREVENTION, CONTROL AND COUNTERMEASURE (SPCC) RULE FOR FARMERS AND RANCHERS	Kathy Mims Control Closed
AL-0400186	CLOSED	Feb 10, 2004	Feb 12, 2004	REQUEST A MEETING/RECENT DECISION MADE BY EPA REGARDING CLEANUP OF THE SUPERFUND SITE IN OMAHA	Issleen Robinson Lead assg made to: R3,4,5,7,8 SUPPORT BRANCH
AL-0400192	CLOSED	Feb 09, 2004	Feb 12, 2004	SUPPORT FUNDING INCREASE BEING SOUGHT FOR THE SUPERFUND PROGRAM IN EPA'S 2005 BUDGET REQUEST; AND, REQUEST THAT THE OMAHA SITE (NPL) REMAIN A TOP PRIORITY FOR THE AGENCY.	Issleen Robinson Lead assg made to: R3,4,5,7,8 SUPPORT BRANCH
AL-09-001-1408	Closed	Jul 28, 2009	Jul 30, 2009	RE: OMAHA LEAD SITE	Cassandra Eades Control Closed
AL-12-001-1455	Closed	Jul 06, 2012	Jul 10, 2012	REGARDING EPA SOLICITATIONS - SMALL BUSINESS SET-ASIDE CONTRACT, SOL-R7-12-00005 AND 8(a) SET-ASIDE CONTRACT, SOL-R7-12-00016 OMAHA LEAD SITE	Cassandra Eades Control Closed

FRED UPTON, MICHIGAN
CHAIRMAN

AC-11-001-8223

HENRY A. WAXMAN, CALIFORNIA
RANKING MEMBER

ONE HUNDRED TWELFTH CONGRESS
Congress of the United States
House of Representatives
COMMITTEE ON ENERGY AND COMMERCE
2125 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6115

Majority (202) 225-2927
Minority (202) 225-3641

October 26, 2011

The Honorable Lisa Jackson
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Dear Administrator Jackson:

Pursuant to Rules X and XI of the United States House of Representatives, we write today to request information regarding recent lawsuits, settlements and consent decrees resolving litigation filed against the Environmental Protection Agency (EPA). In particular, we seek information about lawsuits settled, pending, or filed since January 1, 2009. We also seek information relating to the agency's current process for negotiating and concluding settlements of litigation, including cases in which EPA commits as part of the settlement to undertake new rulemakings.

To assist the Committee in understanding these matters, please provide the following information by November 9, 2011:

1. A list of all lawsuits filed under the Clean Air Act (42 U.S.C. 7401 et seq.), the Clean Water Act (33 U.S.C. 1251 et seq.), the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.), the Toxic Substances Control Act (15 U.S.C. 2601 et seq.), the Safe Drinking Water Act (42 U.S.C. 300f et seq.), the Superfund Amendments and Reauthorization Act (Public Law 99-499), including successor amendments and the Emergency Planning and Community Right-To-Know Act (42 U.S.C. 11001 et seq.), and the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (42 U.S.C. 9601 et seq.), naming the EPA Administrator, the EPA, or any of its employees as defendant(s). The list should include the titles of all such actions, the date of the filing of the lawsuit, and, to the extent applicable, the date of the settlement of the lawsuit or entry into a consent decree (if any), as well as the names of all parties, including intervenors, to the lawsuit. Please include all lawsuits settled, pending, or filed since January 1, 2009.
2. Does EPA notify all parties to the litigation, including intervenors, of EPA's and/or the Department of Justice's (DOJ) intention to potentially settle the lawsuit?

Letter to the Honorable Lisa Jackson

Page 2

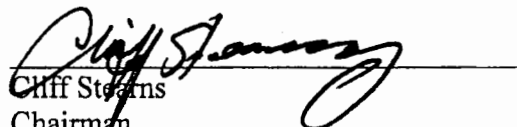
3. When settlement negotiations have commenced, does EPA and/or DOJ notify all parties to the litigation, including intervenors, that there are ongoing settlement discussions?
4. What is EPA's and/or DOJ's process for deciding who will be included in the settlement discussions and therefore a party to the settlement agreement?
5. Prior to announcing a settlement of litigation, does EPA and/or DOJ inform all of the parties to the litigation, including intervenors, of the anticipated resolution of the lawsuit?
6. Prior to announcing a settlement of litigation, does EPA and/or DOJ solicit the views of all of the parties to the litigation, including intervenors, on the draft terms of the anticipated settlement or resolution of the lawsuit?
7. For each of the actions listed in response to Question 1, please state whether there have been payments made to any parties to the litigation pursuant to statutory cost or fee recovery provisions, including but not limited to the Equal Access to Justice Act, and, if so, the amount.
8. For those lawsuits specified in Question 1 that have been resolved through a settlement or consent decree, please identify all settlement agreements and consent decrees that have resulted or will result in regulatory action by the agency.

If you have any questions regarding this request, please contact Sam Spector with the Committee staff at (202) 225-2927.


Sincerely,




Fred Upton
Chairman



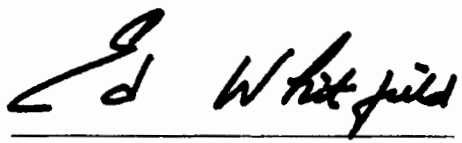
Cliff Stearns
Chairman
Subcommittee on Oversight and Investigations



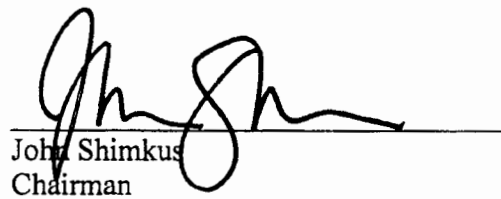
Joe Barton
Chairman Emeritus



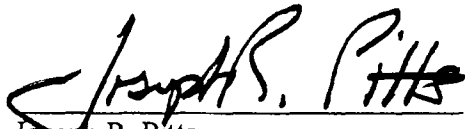
Sue Myrick
Vice Chairman



Ed Whitfield
Chairman
Subcommittee on Energy and Power



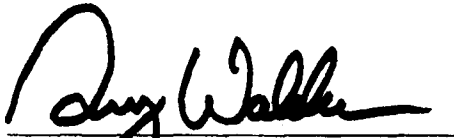
John Shimkus
Chairman
Subcommittee on Environment and the Economy



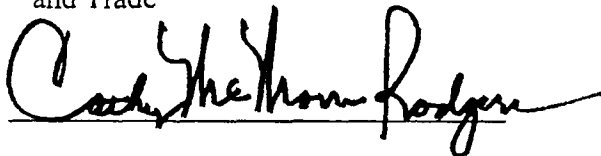
Joseph R. Pitts
Chairman
Subcommittee on Health

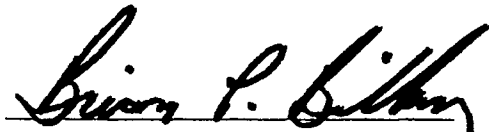


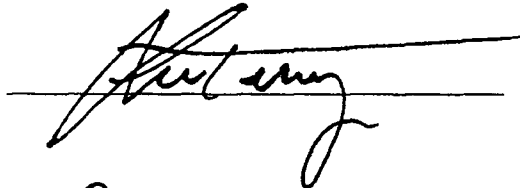
Mary Bono Mack
Chairman
Subcommittee on Commerce, Manufacturing,
and Trade

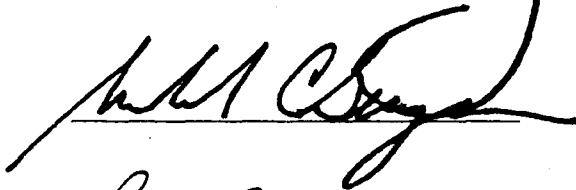


Greg Walden
Chairman
Subcommittee on Communication
and Technology

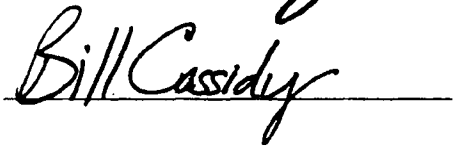


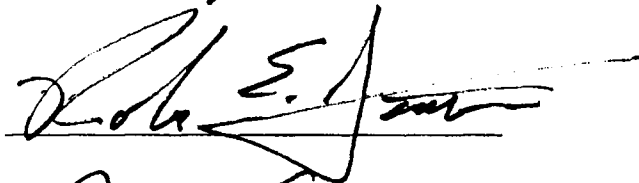


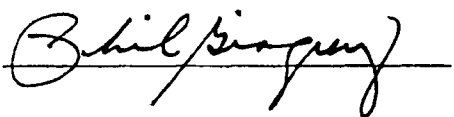


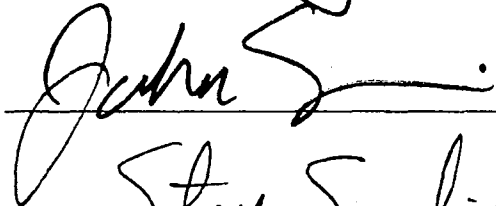


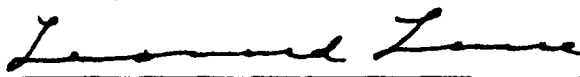
Charles F. Bass

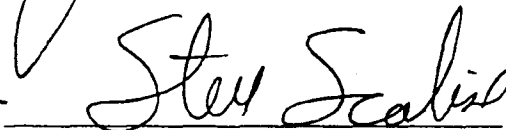


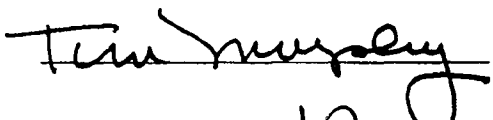


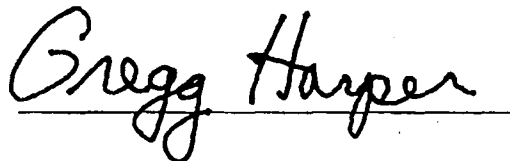


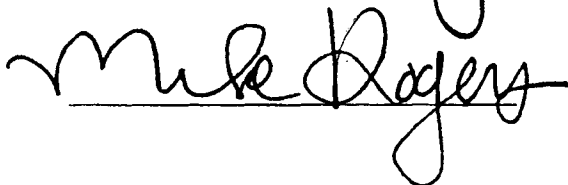








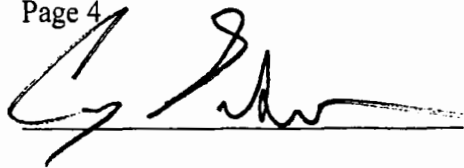
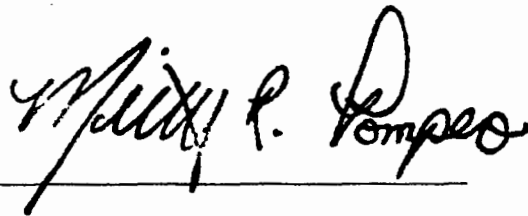
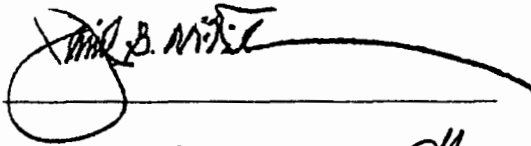






Letter to the Honorable Lisa Jackson

Page 4

A handwritten signature in black ink, appearing to be "L. Jackson", written over a horizontal line.A handwritten signature in black ink, reading "Mike P. Pompeo", written over a horizontal line.A handwritten signature in black ink, appearing to be "Dan O'Brien", written over a horizontal line.A handwritten signature in black ink, appearing to be "Mike B. Miller", written over a horizontal line.A handwritten signature in black ink, reading "Brett Guthrie", written over a horizontal line.A handwritten signature in black ink, reading "B. Morgan", written over a horizontal line.A handwritten signature in black ink, appearing to be "R. H.", written over a horizontal line.

cc: The Honorable Henry A. Waxman, Ranking Member

The Honorable Diana DeGette, Ranking Member
Subcommittee on Oversight and Investigations

LIST OF SIGNATORIES

Fred Upton
Joe Barton
Ed Whitfield
Joseph Pitts
Greg Walden
Brian Bilbray
Michael Burgess
Bill Cassidy
Phil Gingrey
Leonard Lance
Tim Murphy
Mike Rogers
Cory Gardner
Pete Olson
Brett Guthrie
Adam Kinzinger

Cliff Stearns
Sue Myrick
John Shimkus
Mary Bono Mack
Cathy McMorris Rodgers
Lee Terry
Charles Bass
Robert Latta
John Sullivan
Steve Scalise
Gregg Harper
Marsha Blackburn
Mike Pompeo
David McKinley
Morgan Griffith



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

NOV 09 2011

OFFICE OF CONGRESSIONAL AND
INTERGOVERNMENTAL RELATIONS

The Honorable Ed Whitfield
Chairman
Subcommittee on Energy and Power
Committee on Energy and Commerce
U. S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

Thank you for your letter of October 26, 2011, regarding recent lawsuits, settlements and consent decrees resolving litigation filed against the Environmental Protection Agency. Your letter requests responses to a number of detailed questions about lawsuits settled, pending or filed since January 1, 2009.

The EPA is currently working to identify, assemble and review the information requested in your letter. However, because of the comprehensive nature of the information requested, the EPA will need additional time to respond. Let me assure you that this request is a high priority, and we will provide a further substantive response as soon as possible.

Again, thank you for your letter. If you have any questions about this, please contact me or your staff may call Tom Dickerson of my staff at (202) 564-3638.

Sincerely,

A handwritten signature in black ink, reading "Laura Vaught". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Laura Vaught
Deputy Associate Administrator
for Congressional Affairs

cc: The Honorable Bobby L. Rush
Ranking Member



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

NOV 09 2011

OFFICE OF CONGRESSIONAL AND
INTERGOVERNMENTAL RELATIONS

The Honorable John Shimkus
Chairman
Subcommittee on Environment and the Economy
Committee on Energy and Commerce
U. S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

Thank you for your letter of October 26, 2011, regarding recent lawsuits, settlements and consent decrees resolving litigation filed against the Environmental Protection Agency. Your letter requests responses to a number of detailed questions about lawsuits settled, pending or filed since January 1, 2009.

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Again, thank you for your letter. If you have any questions about this, please contact me or your staff may call Tom Dickerson of my staff at (202) 564-3638.

Sincerely,

A handwritten signature in black ink, which appears to read "Laura E. Vaught". The signature is fluid and cursive, with a large, stylized "L" and "V".

Laura Vaught
Deputy Associate Administrator
for Congressional Affairs

cc: The Honorable Gene Green
Ranking Member



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

NOV 09 2011

OFFICE OF CONGRESSIONAL AND
INTERGOVERNMENTAL RELATIONS

The Honorable Joseph R. Pitts
Chairman
Subcommittee on Health
Committee on Energy and Commerce
U. S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

Thank you for your letter of October 26, 2011, regarding recent lawsuits, settlements and consent decrees resolving litigation filed against the Environmental Protection Agency. Your letter requests responses to a number of detailed questions about lawsuits settled, pending or filed since January 1, 2009.

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Sincerely,

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Laura Vaught
Deputy Associate Administrator
for Congressional Affairs

cc: The Honorable Frank Pallone, Jr.
Ranking Member



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

NOV 09 2011

OFFICE OF CONGRESSIONAL AND
INTERGOVERNMENTAL RELATIONS

The Honorable Mary Bono Mack
Chairman
Subcommittee on Commerce, Manufacturing, and Trade
Committee on Energy and Commerce
U. S. House of Representatives
Washington, D.C. 20515

Dear Madam Chairman:

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Sincerely,

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Laura Vaught
Deputy Associate Administrator
for Congressional Affairs

cc: The Honorable G. K. Butterfield
Ranking Member



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

NOV 09 2011

OFFICE OF CONGRESSIONAL AND
INTERGOVERNMENTAL RELATIONS

The Honorable Greg Walden
Chairman
Subcommittee on Communication and Technology
Committee on Energy and Commerce
U. S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

Thank you for your letter of October 26, 2011, regarding recent lawsuits, settlements and consent decrees resolving litigation filed against the Environmental Protection Agency. Your letter requests responses to a number of detailed questions about lawsuits settled, pending or filed since January 1, 2009.

The EPA is currently working to identify, assemble and review the information requested in your letter. However, because of the comprehensive nature of the information requested, the EPA will need additional time to respond. Let me assure you that this request is a high priority, and we will provide a further substantive response as soon as possible.

Again, thank you for your letter. If you have any questions about this, please contact me or your staff may call Tom Dickerson of my staff at (202) 564-3638.

Sincerely,

A handwritten signature in black ink, which appears to read "Laura Vaught", is written over a horizontal line.

Laura Vaught
Deputy Associate Administrator
for Congressional Affairs

cc: The Honorable Anna G. Eshoo
Ranking Member

FRED UPTON, MICHIGAN
CHAIRMAN

AL-11-001-8452

HENRY A. WAXMAN, CALIFORNIA
RANKING MEMBER

ONE HUNDRED TWELFTH CONGRESS
Congress of the United States
House of Representatives
COMMITTEE ON ENERGY AND COMMERCE
2125 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6115

Majority (202) 225-2927
Minority (202) 225-3641

October 26, 2011

The Honorable Lisa Jackson
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Dear Administrator Jackson:

Pursuant to Rules X and XI of the United States House of Representatives, we write today to request information regarding recent lawsuits, settlements and consent decrees resolving litigation filed against the Environmental Protection Agency (EPA). In particular, we seek information about lawsuits settled, pending, or filed since January 1, 2009. We also seek information relating to the agency's current process for negotiating and concluding settlements of litigation, including cases in which EPA commits as part of the settlement to undertake new rulemakings.

To assist the Committee in understanding these matters, please provide the following information by November 9, 2011:

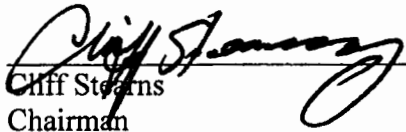
1. A list of all lawsuits filed under the Clean Air Act, (42 U.S.C. 7401 et seq.), the Clean Water Act (33 U.S.C. 1251 et seq.), the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.), the Toxic Substances Control Act (15 U.S.C. 2601 et seq.), the Safe Drinking Water Act (42 U.S.C. 300f et seq.), the Superfund Amendments and Reauthorization Act (Public Law 99-499), including successor amendments and the Emergency Planning and Community Right-To-Know Act (42 U.S.C. 11001 et seq.), and the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (42 U.S.C. 9601 et seq.), naming the EPA Administrator, the EPA, or any of its employees as defendant(s). The list should include the titles of all such actions, the date of the filing of the lawsuit, and, to the extent applicable, the date of the settlement of the lawsuit or entry into a consent decree (if any), as well as the names of all parties, including intervenors, to the lawsuit. Please include all lawsuits settled, pending, or filed since January 1, 2009.
2. Does EPA notify all parties to the litigation, including intervenors, of EPA's and/or the Department of Justice's (DOJ) intention to potentially settle the lawsuit?


3. When settlement negotiations have commenced, does EPA and/or DOJ notify all parties to the litigation, including intervenors, that there are ongoing settlement discussions?
4. What is EPA's and/or DOJ's process for deciding who will be included in the settlement discussions and therefore a party to the settlement agreement?
5. Prior to announcing a settlement of litigation, does EPA and/or DOJ inform all of the parties to the litigation, including intervenors, of the anticipated resolution of the lawsuit?
6. Prior to announcing a settlement of litigation, does EPA and/or DOJ solicit the views of all of the parties to the litigation, including intervenors, on the draft terms of the anticipated settlement or resolution of the lawsuit?
7. For each of the actions listed in response to Question 1, please state whether there have been payments made to any parties to the litigation pursuant to statutory cost or fee recovery provisions, including but not limited to the Equal Access to Justice Act, and, if so, the amount.
8. For those lawsuits specified in Question 1 that have been resolved through a settlement or consent decree, please identify all settlement agreements and consent decrees that have resulted or will result in regulatory action by the agency.

If you have any questions regarding this request, please contact Sam Spector with the Committee staff at (202) 225-2927.

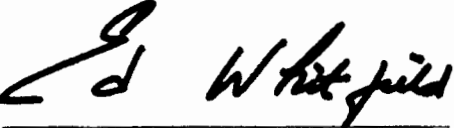
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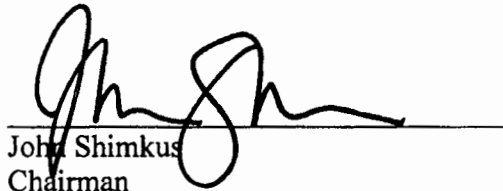

Fred Upton
Chairman

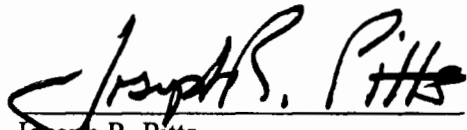

Cliff Stearns
Chairman
Subcommittee on Oversight and Investigations


Joe Barton
Chairman Emeritus


Sue Myrick
Vice Chairman


Ed Whitfield
Chairman
Subcommittee on Energy and Power

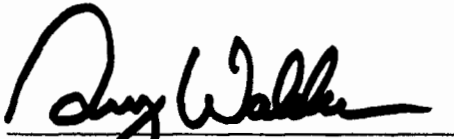

John Shimkus
Chairman
Subcommittee on Environment and the Economy



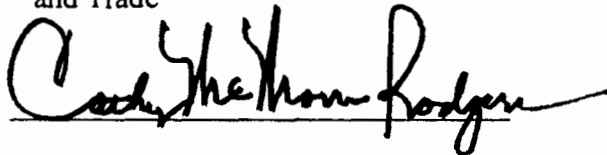
Joseph R. Pitts
Chairman
Subcommittee on Health

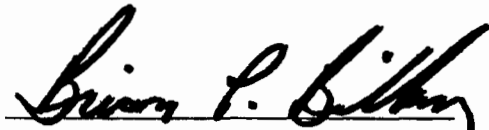


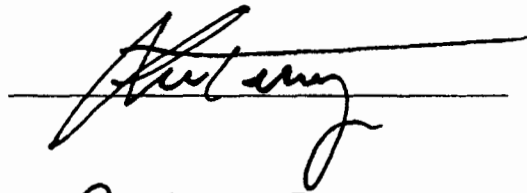
Mary Bono Mack
Chairman
Subcommittee on Commerce, Manufacturing,
and Trade

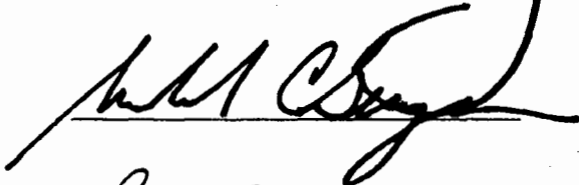


Greg Walden
Chairman
Subcommittee on Communication
and Technology





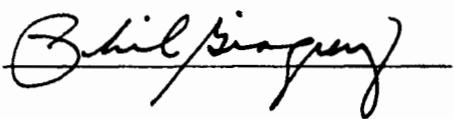


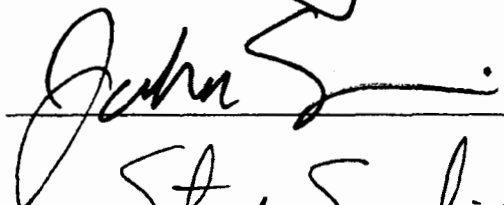


Charles F. Bass



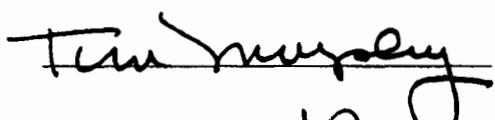




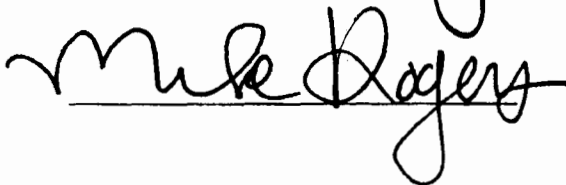








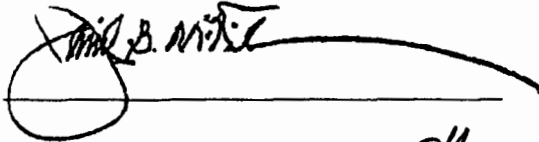
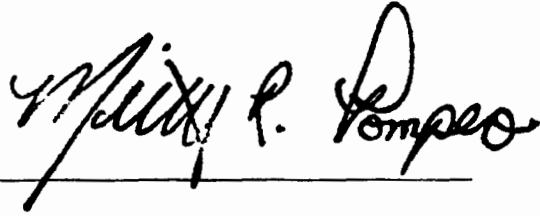
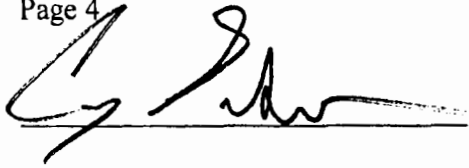






Letter to the Honorable Lisa Jackson

Page 4



cc: The Honorable Henry A. Waxman, Ranking Member

The Honorable Diana DeGette, Ranking Member
Subcommittee on Oversight and Investigations

LIST OF SIGNATORIES

Fred Upton
Joe Barton
Ed Whitfield
Joseph Pitts
Greg Walden
Brian Bilbray
Michael Burgess
Bill Cassidy
Phil Gingrey
Leonard Lance
Tim Murphy
Mike Rogers
Cory Gardner
Pete Olson
Brett Guthrie
Adam Kinzinger

Cliff Stearns
Sue Myrick
John Shimkus
Mary Bono Mack
Cathy McMorris Rodgers
Lee Terry
Charles Bass
Robert Latta
John Sullivan
Steve Scalise
Gregg Harper
Marsha Blackburn
Mike Pompeo
David McKinley
Morgan Griffith



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

NOV 09 2011

OFFICE OF CONGRESSIONAL AND
INTERGOVERNMENTAL RELATIONS

The Honorable Fred Upton
Chairman
Committee on Energy and Commerce
U. S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

Thank you for your letter of October 26, 2011, regarding recent lawsuits, settlements and consent decrees resolving litigation filed against the Environmental Protection Agency. Your letter requests responses to a number of detailed questions about lawsuits settled, pending or filed since January 1, 2009.

The EPA is currently working to identify, assemble and review the information requested in your letter. However, because of the comprehensive nature of the information requested, the EPA will need additional time to respond. Let me assure you that this request is a high priority, and we will provide a further substantive response as soon as possible.

Again, thank you for your letter. If you have any questions about this, please contact me or your staff may call Tom Dickerson of my staff at (202) 564-3638.

Sincerely,

A handwritten signature in black ink, reading "Laura Vaught". The signature is fluid and cursive, with the first name "Laura" and last name "Vaught" clearly distinguishable.

Laura Vaught
Deputy Associate Administrator
for Congressional Affairs

cc: The Honorable Henry A. Waxman
Ranking Member



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

NOV 09 2011

OFFICE OF CONGRESSIONAL AND
INTERGOVERNMENTAL RELATIONS

The Honorable Cliff Stearns
Chairman
Subcommittee on Oversight and Investigations
Committee on Energy and Commerce
U. S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

Thank you for your letter of October 26, 2011, regarding recent lawsuits, settlements and consent decrees resolving litigation filed against the Environmental Protection Agency. Your letter requests responses to a number of detailed questions about lawsuits settled, pending or filed since January 1, 2009.

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Again, thank you for your letter. If you have any questions about this, please contact me or your staff may call Tom Dickerson of my staff at (202) 564-3638.

Sincerely,

A handwritten signature in black ink that reads "Laura J. Vaught".

Laura Vaught
Deputy Associate Administrator
for Congressional Affairs

cc: The Honorable Diana DeGette
Ranking Member



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

NOV 09 2011

OFFICE OF CONGRESSIONAL AND
INTERGOVERNMENTAL RELATIONS

The Honorable Ed Whitfield
Chairman
Subcommittee on Energy and Power
Committee on Energy and Commerce
U. S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

Thank you for your letter of October 26, 2011, regarding recent lawsuits, settlements and consent decrees resolving litigation filed against the Environmental Protection Agency. Your letter requests responses to a number of detailed questions about lawsuits settled, pending or filed since January 1, 2009.

The EPA is currently working to identify, assemble and review the information requested in your letter. However, because of the comprehensive nature of the information requested, the EPA will need additional time to respond. Let me assure you that this request is a high priority, and we will provide a further substantive response as soon as possible.

Again, thank you for your letter. If you have any questions about this, please contact me or your staff may call Tom Dickerson of my staff at (202) 564-3638.

Sincerely,

A handwritten signature in black ink, reading "Laura Vaught", is positioned above the printed name and title.

Laura Vaught
Deputy Associate Administrator
for Congressional Affairs

cc: The Honorable Bobby L. Rush
Ranking Member



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

NOV 09 2011

OFFICE OF CONGRESSIONAL AND
INTERGOVERNMENTAL RELATIONS

The Honorable John Shimkus
Chairman
Subcommittee on Environment and the Economy
Committee on Energy and Commerce
U. S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

Thank you for your letter of October 26, 2011, regarding recent lawsuits, settlements and consent decrees resolving litigation filed against the Environmental Protection Agency. Your letter requests responses to a number of detailed questions about lawsuits settled, pending or filed since January 1, 2009.

The EPA is currently working to identify, assemble and review the information requested in your letter. However, because of the comprehensive nature of the information requested, the EPA will need additional time to respond. Let me assure you that this request is a high priority, and we will provide a further substantive response as soon as possible.

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Sincerely,

A handwritten signature in black ink, which appears to read "Laura J. Vaught". The signature is fluid and cursive, with a large, stylized "L" and "V".

Laura Vaught
Deputy Associate Administrator
for Congressional Affairs

cc: The Honorable Gene Green
Ranking Member



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

NOV 09 2011

OFFICE OF CONGRESSIONAL AND
INTERGOVERNMENTAL RELATIONS

The Honorable Joseph R. Pitts
Chairman
Subcommittee on Health
Committee on Energy and Commerce
U. S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

Thank you for your letter of October 26, 2011, regarding recent lawsuits, settlements and consent decrees resolving litigation filed against the Environmental Protection Agency. Your letter requests responses to a number of detailed questions about lawsuits settled, pending or filed since January 1, 2009.

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Sincerely,

A handwritten signature in black ink, which appears to read "Laura E. Vaught". The signature is fluid and cursive, with the first and last names being more prominent.

Laura Vaught
Deputy Associate Administrator
for Congressional Affairs

cc: The Honorable Frank Pallone, Jr.
Ranking Member



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

NOV 09 2011

OFFICE OF CONGRESSIONAL AND
INTERGOVERNMENTAL RELATIONS

The Honorable Mary Bono Mack
Chairman
Subcommittee on Commerce, Manufacturing, and Trade
Committee on Energy and Commerce
U. S. House of Representatives
Washington, D.C. 20515

Dear Madam Chairman:

Thank you for your letter of October 26, 2011, regarding recent lawsuits, settlements and consent decrees resolving litigation filed against the Environmental Protection Agency. Your letter requests responses to a number of detailed questions about lawsuits settled, pending or filed since January 1, 2009.

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Sincerely,

A handwritten signature in black ink, appearing to read "Laura Vaught", is written over the typed name.

Laura Vaught
Deputy Associate Administrator
for Congressional Affairs

cc: The Honorable G. K. Butterfield
Ranking Member



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

NOV 09 2011

OFFICE OF CONGRESSIONAL AND
INTERGOVERNMENTAL RELATIONS

The Honorable Greg Walden
Chairman
Subcommittee on Communication and Technology
Committee on Energy and Commerce
U. S. House of Representatives
Washington, D.C. 20515

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Sincerely,

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Laura Vaught
Deputy Associate Administrator
for Congressional Affairs

cc: The Honorable Anna G. Eshoo
Ranking Member



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JAN 17 2012

OFFICE OF CONGRESSIONAL AND
INTERGOVERNMENTAL RELATIONS

The Honorable Fred Upton
Chairman
Committee on Energy and Commerce
2125 Rayburn House Office Building
U.S. House of Representatives
Washington, D.C. 20510

Dear Chairman Upton:

Thank you for your letter of October 26, 2011, requesting information about environmental litigation against the U.S. Environmental Protection Agency (EPA) and the agency's practices with regard to the settlement of such litigation.

I am enclosing some general information on the EPA's practices in this area as well as responses to the questions in items 2 through 6 in your letter. EPA staff has discussed with your staff how best to accommodate your request for additional information. Consistent with those discussions, I am enclosing the first installment of the information requested in items 1, 7, and 8 of your letter. This information reflects available data from the Agency's databases and files. This first installment covers litigation under the Toxic Substances Control Act, the Solid Waste Disposal Act (as amended by the Resource Conservation and Recovery Act), the Comprehensive Environmental Response, Compensation and Liability Act of 1980, the Superfund Amendments and Reauthorization Act, and the Emergency Planning and Community Right to Know Act. The EPA will continue to work to respond to the remainder of your request.

Again, thank you for your letter. If you have questions, please contact me or your staff may contact Tom Dickerson on my staff at (202) 564-3638.

Sincerely,

A handwritten signature in black ink, appearing to read "Arvin Ganesan", is written over the word "Sincerely,".

Arvin Ganesan
Associate Administrator

Cc: The Honorable Henry A. Waxman, Ranking Member

Enclosures

General Information

Under nearly a dozen environmental statutes, Congress has tasked the EPA with scores of duties, many with associated statutory deadlines. Pursuant to these duties, each year the EPA promulgates numerous rules and takes a broad array of other final agency actions. Many of these rules and other final actions are challenged in court. In addition, each year the EPA is subject to numerous “mandatory duty” and “unreasonable delay” lawsuits alleging that the Agency has failed to take an action it is required by law to take or has unreasonably delayed in doing so. These suits are brought by a variety of different types of entities, including corporations, industry organizations, environmental and community organizations, and State, local, and tribal governmental entities.¹

The U.S. Department of Justice (DOJ) represents the EPA in defending these suits, and the Agency litigates many cases to final judgment. In some cases, however, the EPA determines, with DOJ’s advice and concurrence, that it is in the best interests of the Federal government and the public to resolve the litigation through settlement. The determination whether to settle a lawsuit is based principally on the EPA’s assessment, with DOJ’s advice, of the Agency’s duties under the relevant statute and the legal risks presented by the litigation. These factors are applied in an evenhanded manner, without regard to the identity or type of the plaintiff or petitioner in the case. The Assistant Attorney General for DOJ’s Environment and Natural Resources Division must concur in any decision to enter into a settlement agreement or consent decree. With regard to consent decrees, a court generally will enter such a decree only if the court has determined that it is fair, reasonable, and consistent with the public interest and the underlying statute.

The EPA’s use of consent decrees and settlement agreements to resolve lawsuits, whether brought by industry or environmental plaintiffs or petitioners or others, is a longstanding practice across both Republican and Democratic Administrations. The number and type of settlement agreements and consent decrees in any given year goes up and down over time and depends on a variety of factors, including the ebb and flow over time of Agency regulatory actions, of mandatory duties and deadlines triggered by such actions, and of lawsuits challenging such actions. Because the litigation process is often lengthy, settlement activity at any given time may be attributable in significant part to agency actions taken, or suits brought, years in the past.

The majority of the environmental lawsuits against the EPA are brought under the Clean Air Act.² Under section 113(g) of the Clean Air Act, the EPA is required to publish and take comment on a proposed settlement agreement or consent decree in litigation against the EPA under the Act at least 30 days in advance of finalizing such an agreement or decree. The EPA is not required to go through notice and comment on settlement agreements or consent decrees in defensive litigation under the other statutes it administers. However, public participation is provided for in most of the typical regulatory processes to

¹ A recent Government Accountability Office (GAO) report on environmental litigation against the EPA found that “[n]o trend was discernible in the number of environmental cases brought against EPA from fiscal year 1995 through fiscal year 2010, as the number of cases filed in federal court varied over time.” The report found that the average number of new environmental suits filed against the Agency per year during this period was 155. GAO, “Environmental Litigation: Cases against EPA and Associated Costs over Time” GAO-11-650 (Aug. 2011), at “Highlights” page and p. 13.

² A recent GAO report concluded that, from fiscal year 1995 through fiscal year 2010, Clean Air Act suits accounted for 59 percent of the environmental suits brought against the EPA. GAO, *supra* note 1, at “Highlights” page.

which the EPA commits in a settlement agreement or consent decree. Where the Agency commits to undertake rulemaking, for example, such participation generally is provided through public notice and comment procedures under the Administrative Procedure Act.

Responses to Questions 2-6

2. Does EPA notify all parties to the litigation, including intervenors, of EPA's and/or the Department of Justice's (DOJ) intention to potentially settle the lawsuit?

The EPA has no explicit policy or standard practice for notifying parties of its intent to pursue a settlement agreement in a given suit, and the Agency is not aware of DOJ having any such explicit policy or standard practice. The EPA's and DOJ's approach with respect to the potential settlement of any case or matter will depend upon the nature of the case and of the potential settlement. With DOJ's advice, case-by-case decisions are made regarding how best to handle each settlement process, including notification of other parties. In many cases, all parties to the case are informed of impending settlement discussions. This may be through filings with the court or through direct interactions with the other parties' counsel.

3. When settlement negotiations have commenced, does EPA and/or DOJ notify all parties to the litigation, including intervenors, that there are ongoing settlement discussions?

As explained above, the EPA does not have a standard operating procedure that governs communications with parties during settlement discussions, and the Agency is not aware of DOJ having any such standard operating procedure. Decisions with regard to such communications are made on a case-by-case basis. Once settlement discussions have commenced, other parties, including intervenors, are often informed.

4. What is EPA's and/or DOJ's process for deciding who will be included in the settlement discussions and therefore a party to the settlement agreement?

The EPA and DOJ evaluate each matter on a case-by-case basis to determine which parties to involve in settlement discussions. EPA litigation matters are often complex, involving multiple parties and multiple issues. Sometimes settlement discussions address only a portion of the issues in a pending matter, while other settlement efforts are intended to be more global with the goal of resolving the entire case.

5. Prior to announcing a settlement of litigation, does EPA and/or DOJ inform all of the parties to the litigation, including intervenors, of the anticipated resolution of the lawsuit?

The majority of the environmental lawsuits against the EPA are brought under the Clean Air Act.³ Under section 113(g) of the Clean Air Act, the EPA is required to publish and take comment on a proposed settlement agreement or consent decree in litigation against the EPA under the Act at least 30 days in advance of finalizing such an agreement or decree. Thus, in Clean Air Act cases, notice of the anticipated resolution is provided to every party to the case as well as to the public before a final settlement is announced.

The EPA is not required to go through notice and comment on settlement agreements or consent decrees in defensive litigation under the other statutes it administers. Nonetheless, notice of the anticipated resolution is often provided to other parties, including intervenors. This may be through filings with the court or through direct interactions with the other parties' counsel.

6. Prior to announcing a settlement of litigation, does EPA and/or DOJ solicit the views of all of the parties to the litigation, including intervenors, on the draft terms of the anticipated settlement or resolution of the lawsuit?

As noted in the response to question 5, pursuant to 113(g) of the Clean Air Act, the EPA provides notice of, and the opportunity to comment on, the terms of proposed settlement agreements or consent decrees in suits brought under the Clean Air Act. Again, these constitute the majority of the environmental suits brought against the Agency. As explained in the response to question 4, litigation matters—and the efforts to settle them—vary greatly from case to case; each requires a unique consideration regarding which parties' inclusion would best serve the settlement process. Whether we solicit views of particular parties on draft terms varies depending on the details of the case at hand.

³ A recent GAO report concluded that, from fiscal year 1995 through fiscal year 2010, Clean Air Act suits accounted for 59 percent of the environmental suits brought against the EPA. GAO, "Environmental Litigation: Cases against EPA and Associated Costs over Time" GAO-11-650 (Aug. 2011), at "Highlights" page.

Suits Filed from 10/1/2005 through 10/13/2011 under TSCA

1

Opened	Case Caption, #, and Court	Plaintiffs or Petitioners	Statute	Description of Outcome/Disposition	Date Decision Issued or Settled	Fees & Costs Paid
12/20/05	Public Employees for Environmental Responsibility v. EPA, 1-05CV02437 (D.D.C.)	Public Employees for Environmental Responsibility, Improving Kids' Environment, Project 504, Maine Lead Action Project, Group 14621 Community Action Assn, Organization of the New Eastside, Lutheran Metropolitan Ministry, The Lead and Environmental Hazards Assn, Bill Menrath	TSCA	Dismissed following settlement	Settlement finalized 1/28/08; dismissed 1/31/08.	\$40,000.00
5/25/06	Coke Oven Environmental Task Force v. EPA, 06-1182 (D.D.C.)	Coke Oven Environmental Task Force	TSCA	Dismissed	3/5/07	N/A
11/13/06	Sierra Club v. EPA, 3:06-cv-05641-PJH (N.D. Cal)	Sierra Club, Improving Kids' Environment	TSCA	Dismissed following settlement	Settlement finalized 4/13/07; dismissed 6/25/2007.	\$25,000.00
10/24/07	Sierra Club v. EPA, CV 07-05435 (N.D. Cal)	Sierra Club; Environmental Law and Policy Center; Pacific Coast Federation of Fisherman's Associations; Physicians for Social Responsibility; Unite Here.	TSCA	Dismissed following settlement	Settlement finalized 12/30/08; dismissed 6/26/2009.	\$5,000.00

Suits Filed from 10/1/2005 through 10/13/2011 under TSCA

2

Opened	Case Caption, #, and Court	Plaintiffs or Petitioners	Statute	Description of Outcome/Disposition	Date Decision Issued or Settled	Fees & Costs Paid
2/15/08	Sierra Club v. Johnson, CV 08-0956 (N.D. Cal.)	Sierra Club; Natural Resources Defense Council; Alliance for Healthy Homes	TSCA	Dismissed	12/12/08	N/A
3/9/08	Environmental Protection Services v. EPA, No. 08-1088 (D.C. Cir.)	Environmental Protection Services	TSCA	Case decided in favor of EPA.	11/25/09	N/A
5/15/08	Sierra Club et al v. EPA, No. 08-1193 (D.C. Cir.)	Sierra Club, Center for Environmental Health, Linda Kite, New York City Coalition to End Lead Poisoning, Make the Road to New York, New York Public Interest Research Group, Northern Manhattan Improvement Corporation, National Assn of Home Builders	TSCA	Settlement agreement; case held in abeyance pending completion of actions to which EPA committed in settlement agreement.	8/24/09	\$127,882.00
5/15/09	John P. Vidiksis v. EPA, No. 09-12544 (9th Cir.)	John P. Vidiksis	TSCA	Case decided in favor of EPA	7/28/10	N/A

Suits Filed from 10/1/2005 through 10/13/2011 under TSCA

3

Opened	Case Caption, #, and Court	Plaintiffs or Petitioners	Statute	Description of Outcome/Disposition	Date Decision Issued or Settled	Fees & Costs Paid
7/8/10	Natl Assn of Homebuilders v. EPA, 10- 1183 (D.C. Cir.)	Natl Assn of Homebuilders, Hearth Patio and Barbecue Assn, Natl Lumber and Building Materials Dealers' Assn, Window and Door Mfrs Assn	TSCA	Case pending	N/A	N/A
11/23/10	Center for Biological Diversity et al v. Jackson, 10- CV-02007 (D. D.C.)	Center for Biological Diversity, Project Gutpile, Public Employees for Environmental Responsibility, National Shooting Sports Foundation (intervenor), National Rifle Association (intervenor), Assn of Battery Recyclers, Inc. (intervenor)	TSCA	Dismissed in part on jurisdictional grounds; remainder pending	9/29/11 (partial dismissal)	N/A
12/22/10	Automotive Refrigeration Products Institute v. EPA, 10-1417 (D.C. Cir.)	Automotive Refrigeration Products Institute, Automotive Aftermarket Industry Association	TSCA	Case pending	N/A	N/A

Settlement Agreements and Consent Decrees in TSCA cases entered 10/1/05 through 10/13/11

Date of SA/CD Entry	SA or CD?	Case Caption, #, and Court	Plaintiffs or Petitioners	Statute	Summary of SA/CD	Fees & Costs Paid
4/13/2007	SA	Sierra Club v. EPA, 3:06-cv-05641-PJH (N.D. Cal)	Sierra Club; Improving Kids' Health	TSCA	EPA agreed to send a letter to the Consumer Products Safety Commission identifying issues about the adequacy of quality control measures related to lead content of toy jewelry imported into and distributed in the US, and a letter to a number of companies alerting them to possible TSCA violations. EPA also agreed to pursue a rulemaking to require the submission of any existing health and safety studies pertaining to lead in consumer products intended for children. Plaintiffs agreed to dismiss the litigation.	\$ 25,000.00
1/28/2008	SA	Public Employees for Environmental Responsibility v. EPA, 1-05CV02437 (D.D.C.)	Public Employees for Environmental Responsibility, Improving Kids' Environment, Project 504, Maine Lead Action Project, Group 14621 Community Action Assn, Organization of the New Eastside, Lutheran Metropolitan Ministry, The Lead and Environmental Hazards Assn, Bill Menrath	TSCA	EPA agreed to take final action by a date certain on an existing lead renovation, repair and painting proposed rule.	\$ 40,000.00
12/30/2008	SA	Sierra Club v. EPA, C 07-05435 (N.D. Cal.)	Sierra Club; Environmental Law and Policy Center; Pacific Coast Federation of Fisherman's Associations; Physicians for Social Responsibility; Unite Here	TSCA	EPA agreed to specifically request comment on several chemical testing issues for the chemical nonylphenol ethoxylate and the chemical category nonylphenols in an advanced notice of proposed rulemaking it was already developing. Plaintiffs agreed to dismiss the litigation.	\$ 5,000.00

Settlement Agreements and Consent Decrees in TSCA cases entered 10/1/05 through 10/13/11

8/24/2009	SA	Sierra Club et al v. EPA, No. 08-1193 (D.C. Cir.)	Sierra Club, Center for Environmental Health, Lind Kite, New York City Coalition to End Lead Poisoning, Make the Road to New York, New York Public Interest Research Group, Northern Manhattan Improvement Corporation, National Assn of Home Builders	TSCA	EPA agreed to propose certain changes to its recently promulgated lead renovation, repair and painting rule and to evaluate whether additional proposed changes were warranted.	\$ 127,882.00
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Suits Filed from 10/1/2005 through 10/13/2011 under RCRA/SWDA, CERCLA, and EPCRA

1

Opened	Case Caption, #, and Court	Plaintiffs or Petitioners	Statute	Description of Outcome/Disposition	Date Decision Issued or Settled	Fees & Costs Paid
10/26/05	Rhode Island Resource Recovery Corporation v. Rhode Island Department of Environmental Management and United States Environmental Protection Agency, 05-451 (D.R.I.)	Rhode Island Resource Recovery Corporation	CERCLA	Dismissed	3/7/06	none
11/3/05	Electronic Industries Alliance v. U.S. Environmental Protection Agency, 05-1414 (D.C. Cir.)	Electronic Industries Alliance	RCRA	Dismissed	5/9/06	none
12/14/05	Sunoco Partners Mktg & Terminals v. EPA, 05-74742 (E.D. Mich.)	Sunoco Partners Mktg & Terminals	RCRA	Dismissed	1/30/06	none
1/4/06	Cement Kiln Recycling Coalition v. EPA, Case No. 06-1005 (D.C. Cir.)	Cement Kiln Recycling Coalition	RCRA	Decision upholding EPA rule	7/13/07	none
1/27/06	Southeastern Environmental Task Force et. al. v. Bush, 1:06-cv-00498 (D. Ill.)	Southeast Environmental Task Force; Calumet Ecological Park Association	CERCLA	Dismissed	3/17/06	none
4/5/06	Davis v. EPA, No. 06-3049 (D. Kansas)	Davis -- pro se, prisoner suing EPA	CERCLA	Dismissed	5/15/07	none
10/24/06	Electronic Industries Alliance (EIA) v. EPA, 06-1359 (D.C. Cir.)	EIA	RCRA	Dismissed	8/15/09	none

Suits Filed from 10/1/2005 through 10/13/2011 under RCRA/SWDA, CERCLA, and EPCRA

2

Opened	Case Caption, #, and Court	Plaintiffs or Petitioners	Statute	Description of Outcome/Disposition	Date Decision Issued or Settled	Fees & Costs Paid
10/27/06	Mark Townsend et. al., v. National Collegiate Athletic Assoc., Social Security Administration, Environmental Protection Agency, et. al., 6:07-cv-00007 (N. D. Ala.)	Mark Townsend (and all other truck drivers similarly situated)	RCRA	Dismissed	1/8/07	none
12/11/06	Stephens v. City of Anadarko, 06-1357-L (W.D. Okla.)	Vicki Y. Stephens, Trustee of the Stephens Children's Trust	RCRA	Dismissed	3/28/08	none
4/11/07	West VA Highlands Conservancy v. Johnson, No. 08-5153.	West VA Highlands Conservancy, Ohio Valley Environmental Coalition, Coal River Mountain Watch	RCRA	Dismissed	3/21/08	none
5/14/07	El Paso Natural Gas Company v. United States of American et al., 1:07-cv-00905.	El Paso Natural Gas Company (plaintiff) and the Navajo Nation (intervenor plaintiff)	Claim against EPA was under RCRA.	Case pending	n/a	n/a
6/14/07	Arizona Mining v. Johnson, 1:07-cv-01054 (D. D.C.)	Arizona Mining Association; Phelps Dodge Bagdad Inc.; New Mexico Mining Association	EPCRA	Dismissed	4/22/10	none
10/23/07	Howmet Corp. v. EPA, 07-cv-01306 (D.D.C.); APPEALED (09-5360, D.C. Cir.)	Howmet Corp.	RCRA	Case decided in favor of EPA.	Final Appeal decision issued 8/6/10	none
11/25/07	New York v. EPA, 07-CV-10632 (S.D. N.Y.)	NY, AZ, CA, CT, IL, ME, MA, MN, NH, NJ, PA, VT	EPCRA	Dismissed	5/19/09	none
1/28/08	U.S. Technology Corp. v. Johnson, 2:08 CV 82 (S.D. Ohio)	U.S. Technology Corp.	RCRA	Dismissed	1/13/09	none

Opened	Case Caption, #, and Court	Plaintiffs or Petitioners	Statute	Description of Outcome/Disposition	Date Decision Issued or Settled	Fees & Costs Paid
3/12/08	Sierra Club, et. al. v. Johnson, 08-cv-01409-WHA (N.D. Cal.)	Sierra Club; Great Basin Resource Watch; Amigos Bravos, Idaho Conservation League	CERCLA	Part of Claim upheld in one part; other parts dismissed on various grounds at various times	07/23/2008 (Order Denying in Part Defendant's Motion to Dismiss); 08/08/2008 (Order Dismissing Plaintiffs' APA Claim Without Prejudice); 02/25/2009 (Order Granting in Part Motions for Summary Judgment); 08/05/2009 (Order Granting in Part Motions for Summary Judgment); 01/12/10 (Order Granting Entitlement to Attorney's Fees); 02/01/10 (Court Order on Plaintiff's Motion for Attorney's Fees and Costs; Order)	\$115,358
3/25/08	Creosote Council v. EPA, 10:08-cv-00512-JR (D. D.C.)	Creosote Council, Koppers Inc., Southern Pressure Treaters Assoc., Western Wood Preservers Institute, Treated Wood Council	EPCRA	Stayed pending further action from EPA.	n/a	none

Suits Filed from 10/1/2005 through 10/13/2011 under RCRA/SWDA, CERCLA, and EPCRA

4

Opened	Case Caption, #, and Court	Plaintiffs or Petitioners	Statute	Description of Outcome/Disposition	Date Decision Issued or Settled	Fees & Costs Paid
3/31/08	Vanadium Producers and Reclaimers Ass'n (VPRA) v. EPA (No. 08-1142) (D.C. Circuit)	VPRA; American Petroleum Institute (API); Louisiana Environmental Action Network (LEAN) and Sierra Club, and Environmental Technology Council (ETC)	RCRA	Case held in abeyance pending consideration of administrative petitions.	n/a	n/a
4/3/08	ATLANTIC WOOD INDUSTRIES, INC. v. EPA #08-1111 (D.C. Cir.)	Atlantic Wood Industries	CERCLA	Case held in abeyance pending cleanup	n/a	n/a
1/15/09	Waterkeeper Alliance v. EPA, 09-1017 (D.C. Cir.)	Waterkeeper Alliance; Sierra Club; Humane Society of the US; Environmental Integrity Project; Center for Food Safety; Citizens for Pennsylvania's Future; National Pork Producers Council	CERCLA/ EPCRA	Voluntary remand granted to US	10/19/10	none
1/18/09	Village of Stillwater, et al. v. General Electric Co. et al., 09-228 (N.D. NY)	Village of Stillwater, Town of Stillwater, Town of Waterford, Village of Waterford, Town of Halfmoon, County of Saratoga	CERCLA	Case dismissed – EPA removed from case.	5/4/09	none

Suits Filed from 10/1/2005 through 10/13/2011 under RCRA/SWDA, CERCLA, and EPCRA

5

Opened	Case Caption, #, and Court	Plaintiffs or Petitioners	Statute	Description of Outcome/Disposition	Date Decision Issued or Settled	Fees & Costs Paid
1/28/09	Sierra Club v. EPA, (Docket No. 09-1041) D.C. Circuit	Sierra Club, Alliance of Automobile Manufacturers , American Chemistry Council , American Coke and Coal Chemicals Institute, American Forest & Paper Association, Inc. , American Gas Association , Edison Electric Institute , Environmental Technology Council, Inc. , Metals Industry Recycling Coalition , National Mining Association , National Paint & Coatings Association , National Rural Electric Cooperative Association , Treated Wood Council , Utility Solid Waste Activities Group , Synthetic Organic Chemical Manufacturers Association, Inc.	RCRA	Settlement Agreement reached for EPA to consider revising definition of solid waste regulation. Under the agreement EPA will take final action by December 2012. Case remains open.	Settlement Agreement filed 9/10/2010.	n/a
1/28/09	American Petroleum Institute v. EPA, 09-1039 (D.C. Cir.)	API	RCRA	Litigation ongoing	n/a	n/a
2/12/09	Sierra Club v. EPA, 09-1063 (D.C. Cir.)	LEAN, SIERRA CLUB	RCRA	Dismissed	4/28/09	none
8/11/09	RAM, Inc. v. U.S. EPA, CIV-09-307-JHP (E.D. Okla.)	RAM, Inc.	RCRA	Court entered settlement agreement; case dismissed.	4/11/11	none
11/9/09	US Magnesium LLC v. EPA, 09-1269 (D.C. Cir.)	US Magnesium LLC	CERCLA	Dismissed	1/14/11	none

Suits Filed from 10/1/2005 through 10/13/2011 under RCRA/SWDA, CERCLA, and EPCRA

6

Opened	Case Caption, #, and Court	Plaintiffs or Petitioners	Statute	Description of Outcome/Disposition	Date Decision Issued or Settled	Fees & Costs Paid
5/19/11	Waste Management Inc. v. EPA; Docket No. 11-1148 (D.C. Cir.)	Waste Management, Inc. , Metals Industries Recycling Coalition, American Gas Assoc., Rubber Manufacturers Assoc., Coalition for Responsible Waste Incineration, Edison Electric Institute, NORA, An Association of Responsible Recyclers, Inc., National Rural Electric Cooperative Assoc., Utility Solid Waste Activities Group, Arippa (coal miners assoc.), American Forest & Paper Assoc., Inc., American Home Furnishings Alliance, Inc., American Petroleum Institute, American Wood Council, Biomass Power Assoc., Cement Kiln Recycling Coalition, Construction Materials Recycling Assoc. Issues and Education Fund, Council of Industrial Boiler Owners, Downwinders At Risk, Hardwood Plywood & Veneer Assoc., Huron Environmental Activist League, LaFarge Building Materials, Inc., Montanans Against Toxic Burning, National Assoc. of Manufacturers, Portland Cement Assoc., Sierra Club, Rubber Manufacturers Assoc.	RCRA	Case pending		n/a

Settlement Agreements and Consent Decrees under RCRA/SWDA, CERCLA, and EPCRA
10/1/05 through 10/13/11

Date of SA/CD Entry	SA or CD?	Case Caption, #, and Court	Plaintiffs or Petitioners	Statute	Summary of SA/CD	Fees & Costs Paid
9/10/2010	SA	Sierra Club v. EPA, Docket No. 09-1041 (D.C. Cir.)	Sierra Club, Alliance of Automobile Manufacturers , American Chemistry Council, American Coke and Coal Chemicals Institute, American Forest & Paper Association, Inc., American Gas Association , Edison Electric Institute, Environmental Technology Council, Inc., Metals Industry Recycling Coalition, National Mining Association , National Paint & Coatings Association, National Rural Electric Cooperative Association, Treated Wood Council, Utility Solid Waste Activities Group, Synthetic Organic Chemical Manufacturers Association, Inc.	RCRA	EPA agreed to consider revising definition of solid waste regulation. Under the agreement EPA will take final action by December 2012. Case remains open.	n/a
4/11/2011	SA	RAM, Inc. v. U.S. EPA, CIV 09-307-JHP (E.D. Okla.)	RAM, Inc.	RCRA	RAM must pay \$65,000 in civil penalties to EPA (in settlement of counter claim); case dismissed.	n/a



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JAN 17 2012

The Honorable Cliff Stearns
Chairman
Subcommittee on Oversight and Investigation
Committee on Energy and Commerce
H2-316 Ford House Office Building
U.S. House of Representatives
Washington, D.C. 20510

OFFICE OF CONGRESSIONAL AND
INTERGOVERNMENTAL RELATIONS

Dear Chairman Stearns:

Thank you for your letter of October 26, 2011, requesting information about environmental litigation against the U.S. Environmental Protection Agency (EPA) and the agency's practices with regard to the settlement of such litigation.

I am enclosing some general information on the EPA's practices in this area as well as responses to the questions in items 2 through 6 in your letter. EPA staff has discussed with your staff how best to accommodate your request for additional information. Consistent with those discussions, I am enclosing the first installment of the information requested in items 1, 7, and 8 of your letter. This information reflects available data from the Agency's databases and files. This first installment covers litigation under the Toxic Substances Control Act, the Solid Waste Disposal Act (as amended by the Resource Conservation and Recovery Act), the Comprehensive Environmental Response, Compensation and Liability Act of 1980, the Superfund Amendments and Reauthorization Act, and the Emergency Planning and Community Right to Know Act. The EPA will continue to work to respond to the remainder of your request.

Again, thank you for your letter. If you have questions, please contact me or your staff may contact Tom Dickerson on my staff at (202) 564-3638.

Sincerely,

A handwritten signature in black ink, appearing to read "Arvin Ganesan".

Arvin Ganesan
Associate Administrator

Cc: The Honorable Diana DeGette, Ranking Member
Subcommittee on Oversight and Investigation

Enclosures

General Information

Under nearly a dozen environmental statutes, Congress has tasked the EPA with scores of duties, many with associated statutory deadlines. Pursuant to these duties, each year the EPA promulgates numerous rules and takes a broad array of other final agency actions. Many of these rules and other final actions are challenged in court. In addition, each year the EPA is subject to numerous "mandatory duty" and "unreasonable delay" lawsuits alleging that the Agency has failed to take an action it is required by law to take or has unreasonably delayed in doing so. These suits are brought by a variety of different types of entities, including corporations, industry organizations, environmental and community organizations, and State, local, and tribal governmental entities.¹

The U.S. Department of Justice (DOJ) represents the EPA in defending these suits, and the Agency litigates many cases to final judgment. In some cases, however, the EPA determines, with DOJ's advice and concurrence, that it is in the best interests of the Federal government and the public to resolve the litigation through settlement. The determination whether to settle a lawsuit is based principally on the EPA's assessment, with DOJ's advice, of the Agency's duties under the relevant statute and the legal risks presented by the litigation. These factors are applied in an evenhanded manner, without regard to the identity or type of the plaintiff or petitioner in the case. The Assistant Attorney General for DOJ's Environment and Natural Resources Division must concur in any decision to enter into a settlement agreement or consent decree. With regard to consent decrees, a court generally will enter such a decree only if the court has determined that it is fair, reasonable, and consistent with the public interest and the underlying statute.

The EPA's use of consent decrees and settlement agreements to resolve lawsuits, whether brought by industry or environmental plaintiffs or petitioners or others, is a longstanding practice across both Republican and Democratic Administrations. The number and type of settlement agreements and consent decrees in any given year goes up and down over time and depends on a variety of factors, including the ebb and flow over time of Agency regulatory actions, of mandatory duties and deadlines triggered by such actions, and of lawsuits challenging such actions. Because the litigation process is often lengthy, settlement activity at any given time may be attributable in significant part to agency actions taken, or suits brought, years in the past.

The majority of the environmental lawsuits against the EPA are brought under the Clean Air Act.² Under section 113(g) of the Clean Air Act, the EPA is required to publish and take comment on a proposed settlement agreement or consent decree in litigation against the EPA under the Act at least 30 days in advance of finalizing such an agreement or decree. The EPA is not required to go through notice and comment on settlement agreements or consent decrees in defensive litigation under the other statutes it administers. However, public participation is provided for in most of the typical regulatory processes to

¹ A recent Government Accountability Office (GAO) report on environmental litigation against the EPA found that "[n]o trend was discernible in the number of environmental cases brought against EPA from fiscal year 1995 through fiscal year 2010, as the number of cases filed in federal court varied over time." The report found that the average number of new environmental suits filed against the Agency per year during this period was 155. GAO, "Environmental Litigation: Cases against EPA and Associated Costs over Time" GAO-11-650 (Aug. 2011), at "Highlights" page and p. 13.

² A recent GAO report concluded that, from fiscal year 1995 through fiscal year 2010, Clean Air Act suits accounted for 59 percent of the environmental suits brought against the EPA. GAO, *supra* note 1, at "Highlights" page.

which the EPA commits in a settlement agreement or consent decree. Where the Agency commits to undertake rulemaking, for example, such participation generally is provided through public notice and comment procedures under the Administrative Procedure Act.

Responses to Questions 2-6

2. Does EPA notify all parties to the litigation, including intervenors, of EPA's and/or the Department of Justice's (DOJ) intention to potentially settle the lawsuit?

The EPA has no explicit policy or standard practice for notifying parties of its intent to pursue a settlement agreement in a given suit, and the Agency is not aware of DOJ having any such explicit policy or standard practice. The EPA's and DOJ's approach with respect to the potential settlement of any case or matter will depend upon the nature of the case and of the potential settlement. With DOJ's advice, case-by-case decisions are made regarding how best to handle each settlement process, including notification of other parties. In many cases, all parties to the case are informed of impending settlement discussions. This may be through filings with the court or through direct interactions with the other parties' counsel.

3. When settlement negotiations have commenced, does EPA and/or DOJ notify all parties to the litigation, including intervenors, that there are ongoing settlement discussions?

As explained above, the EPA does not have a standard operating procedure that governs communications with parties during settlement discussions, and the Agency is not aware of DOJ having any such standard operating procedure. Decisions with regard to such communications are made on a case-by-case basis. Once settlement discussions have commenced, other parties, including intervenors, are often informed.

4. What is EPA's and/or DOJ's process for deciding who will be included in the settlement discussions and therefore a party to the settlement agreement?

The EPA and DOJ evaluate each matter on a case-by-case basis to determine which parties to involve in settlement discussions. EPA litigation matters are often complex, involving multiple parties and multiple issues. Sometimes settlement discussions address only a portion of the issues in a pending matter, while other settlement efforts are intended to be more global with the goal of resolving the entire case.

5. Prior to announcing a settlement of litigation, does EPA and/or DOJ inform all of the parties to the litigation, including intervenors, of the anticipated resolution of the lawsuit?

The majority of the environmental lawsuits against the EPA are brought under the Clean Air Act.³ Under section 113(g) of the Clean Air Act, the EPA is required to publish and take comment on a proposed settlement agreement or consent decree in litigation against the EPA under the Act at least 30 days in advance of finalizing such an agreement or decree. Thus, in Clean Air Act cases, notice of the anticipated resolution is provided to every party to the case as well as to the public before a final settlement is announced.

The EPA is not required to go through notice and comment on settlement agreements or consent decrees in defensive litigation under the other statutes it administers. Nonetheless, notice of the anticipated resolution is often provided to other parties, including intervenors. This may be through filings with the court or through direct interactions with the other parties' counsel.

6. Prior to announcing a settlement of litigation, does EPA and/or DOJ solicit the views of all of the parties to the litigation, including intervenors, on the draft terms of the anticipated settlement or resolution of the lawsuit?

As noted in the response to question 5, pursuant to 113(g) of the Clean Air Act, the EPA provides notice of, and the opportunity to comment on, the terms of proposed settlement agreements or consent decrees in suits brought under the Clean Air Act. Again, these constitute the majority of the environmental suits brought against the Agency. As explained in the response to question 4, litigation matters—and the efforts to settle them—vary greatly from case to case; each requires a unique consideration regarding which parties' inclusion would best serve the settlement process. Whether we solicit views of particular parties on draft terms varies depending on the details of the case at hand.

³ A recent GAO report concluded that, from fiscal year 1995 through fiscal year 2010, Clean Air Act suits accounted for 59 percent of the environmental suits brought against the EPA. GAO, "Environmental Litigation: Cases against EPA and Associated Costs over Time" GAO-11-650 (Aug. 2011), at "Highlights" page.

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1

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12/20/05	Public Employees for Environmental Responsibility v. EPA, 1- 05CV02437 (D.D.C.)	Public Employees for Environmental Responsibility, Improving Kids' Environment, Project 504, Maine Lead Action Project, Group 14621 Community Action Assn, Organization of the New Eastside, Lutheran Metropolitan Ministry, The Lead and Environmental Hazards Assn, Bill Menrath	TSCA	Dismissed following settlement	Settlement finalized 1/28/08; dismissed 1/31/08.	\$40,000.00
5/25/06	Coke Oven Environmental Task Force v. EPA, 06-1182 (D.D.C.)	Coke Oven Environmental Task Force	TSCA	Dismissed	3/5/07	N/A
11/13/06	Sierra Club v. EPA, 3:06-cv- 05641-PJH (N.D. Cal)	Sierra Club, Improving Kids' Environment	TSCA	Dismissed following settlement	Settlement finalized 4/13/07; dismissed 6/25/2007.	\$25,000.00
10/24/07	Sierra Club v. EPA, CV 07- 05435 (N.D. Cal)	Sierra Club; Environmental Law and Policy Center; Pacific Coast Federation of Fisherman's Associations; Physicians for Social Responsibility; Unite Here.	TSCA	Dismissed following settlement	Settlement finalized 12/30/08; dismissed 6/26/2009.	\$5,000.00

Suits Filed from 10/1/2005 through 10/13/2011 under TSCA

2

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2/15/08	Sierra Club v. Johnson, CV 08- 0956 (N.D. Cal)	Sierra Club; Natural Resources Defense Council; Alliance for Healthy Homes	TSCA	Dismissed	12/12/08	N/A
3/9/08	Environmental Protection Services v. EPA, No. 08- 1088 (D.C. Cir.)	Environmental Protection Services	TSCA	Case decided in favor of EPA.	11/25/09	N/A
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5/15/09	John P. Vidiksis v. EPA, No. 09- 12544 (9th Cir.)	John P. Vidiksis	TSCA	Case decided in favor of EPA	7/28/10	N/A

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3

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7/8/10	Natl Assn of Homebuilders v. EPA, 10-1183 (D.C. Cir.)	Natl Assn of Homebuilders, Hearth Patio and Barbecue Assn, Natl Lumber and Building Materials Dealers' Assn, Window and Door Mfrs Assn	TSCA	Case pending	N/A	N/A
11/23/10	Center for Biological Diversity et al v. Jackson, 10-CV-02007 (D. D.C.)	Center for Biological Diversity, Project Gutpile, Public Employees for Environmental Responsibility, National Shooting Sports Foundation (intervenor), National Rifle Association (intervenor), Assn of Battery Recyclers, Inc. (intervenor)	TSCA	Dismissed in part on jurisdictional grounds; remainder pending	9/29/11 (partial dismissal)	N/A
12/22/10	Automotive Refrigeration Products Institute v. EPA, 10-1417 (D.C. Cir.)	Automotive Refrigeration Products Institute, Automotive Aftermarket Industry Association	TSCA	Case pending	N/A	N/A

Settlement Agreements and Consent Decrees in TSCA cases entered 10/1/05 through 10/13/11

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4/13/2007	SA	Sierra Club v. EPA, 3:06-cv-05641-PJH (N.D. Cal)	Sierra Club; Improving Kids' Health	TSCA	EPA agreed to send a letter to the Consumer Products Safety Commission identifying issues about the adequacy of quality control measures related to lead content of toy jewelry imported into and distributed in the US, and a letter to a number of companies alerting them to possible TSCA violations. EPA also agreed to pursue a rulemaking to require the submission of any existing health and safety studies pertaining to lead in consumer products intended for children. Plaintiffs agreed to dismiss the litigation.	\$ 25,000.00
1/28/2008	SA	Public Employees for Environmental Responsibility v. EPA, 1-05CV02437 (D.D.C.)	Public Employees for Environmental Responsibility, Improving Kids' Environment, Project 504, Maine Lead Action Project, Group 14621 Community Action Assn, Organization of the New Eastside, Lutheran Metropolitan Ministry, The Lead and Environmental Hazards Assn, Bill Menrath	TSCA	EPA agreed to take final action by a date certain on an existing lead renovation, repair and painting proposed rule.	\$ 40,000.00
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Settlement Agreements and Consent Decrees in TSCA cases entered 10/1/05 through 10/13/11

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1

Opened	Case Caption, #, and Court	Plaintiffs or Petitioners	Statute	Description of Outcome/Disposition	Date Decision Issued or Settled	Fees & Costs Paid
10/26/05	Rhode Island Resource Recovery Corporation v. Rhode Island Department of Environmental Management and United States Environmental Protection Agency, 05-451 (D.R.I.)	Rhode Island Resource Recovery Corporation	CERCLA	Dismissed	3/7/06	none
11/3/05	Electronic Industries Alliance v. U.S. Environmental Protection Agency, 05-1414 (D.C. Cir.)	Electronic Industries Alliance	RCRA	Dismissed	5/9/06	none
12/14/05	Sunoco Partners Mktg & Terminals v. EPA, 05-74742 (E.D. Mich.)	Sunoco Partners Mktg & Terminals	RCRA	Dismissed	1/30/06	none
1/4/06	Cement Kiln Recycling Coalition v. EPA, Case No. 06-1005 (D.C. Cir.)	Cement Kiln Recycling Coalition	RCRA	Decision upholding EPA rule	7/13/07	none
1/27/06	Southeastern Environmental Task Force et. al. v. Bush, 1:06-cv-00498 (D. Ill.)	Southeast Environmental Task Force; Calumet Ecological Park Association	CERCLA	Dismissed	3/17/06	none
4/5/06	Davis v. EPA, No. 06-3049 (D. Kansas)	Davis -- pro se, prisoner suing EPA	CERCLA	Dismissed	5/15/07	none
10/24/06	Electronic Industries Alliance (EIA) v. EPA, 06-1359 (D.C. Cir.)	EIA	RCRA	Dismissed	8/15/09	none

Suits Filed from 10/1/2005 through 10/13/2011 under RCRA/SWDA, CERCLA, and EPCRA

2

Opened	Case Caption, #, and Court	Plaintiffs or Petitioners	Statute	Description of Outcome/Disposition	Date Decision Issued or Settled	Fees & Costs Paid
10/27/06	Mark Townsend et. al., v. National Collegiate Athletic Assoc., Social Security Administration, Environmental Protection Agency, et. al., 6:07-cv-00007 (N. D. Ala.)	Mark Townsend (and all other truck drivers similarly situated)	RCRA	Dismissed	1/8/07	none
12/11/06	Stephens v. City of Anadarko, 06-1357-L (W.D. Okla.)	Vicki Y. Stephens, Trustee of the Stephens Children's Trust	RCRA	Dismissed	3/28/08	none
4/11/07	West VA Highlands Conservancy v. Johnson, No. 08-5153.	West VA Highlands Conservancy, Ohio Valley Environmental Coalition, Coal River Mountain Watch	RCRA	Dismissed	3/21/08	none
5/14/07	El Paso Natural Gas Company v. United States of American et al., 1:07-cv-00905.	El Paso Natural Gas Company (plaintiff) and the Navajo Nation (intervenor plaintiff)	Claim against EPA was under RCRA.	Case pending	n/a	n/a
6/14/07	Arizona Mining v. Johnson, 1:07-cv-01054 (D. D.C.)	Arizona Mining Association; Phelps Dodge Bagdad Inc.; New Mexico Mining Association	EPCRA	Dismissed	4/22/10	none
10/23/07	Howmet Corp. v. EPA, 07-cv-01306 (D.D.C.); APPEALED (09-5360, D.C. Cir.)	Howmet Corp.	RCRA	Case decided in favor of EPA.	Final Appeal decision issued 8/6/10	none
11/25/07	New York v. EPA, 07-CV-10632 (S.D. N.Y.)	NY, AZ, CA, CT, IL, ME, MA, MN, NH, NJ, PA, VT	EPCRA	Dismissed	5/19/09	none
1/28/08	U.S. Technology Corp. v. Johnson, 2:08 CV 82 (S.D. Ohio)	U.S. Technology Corp.	RCRA	Dismissed	1/13/09	none

Suits Filed from 10/1/2005 through 10/13/2011 under RCRA/SWDA, CERCLA, and EPCRA

3

Opened	Case Caption, #, and Court	Plaintiffs or Petitioners	Statute	Description of Outcome/Disposition	Date Decision Issued or Settled	Fees & Costs Paid
3/12/08	Sierra Club, et. al. v. Johnson, 08-cv-01409-WHA (N.D. Cal.)	Sierra Club; Great Basin Resource Watch; Amigos Bravos, Idaho Conservation League	CERCLA	Part of Claim upheld in one part; other parts dismissed on various grounds at various times	07/23/2008 (Order Denying in Part Defendant's Motion to Dismiss); 08/08/2008 (Order Dismissing Plaintiffs' APA Claim Without Prejudice); 02/25/2009 (Order Granting in Part Motions for Summary Judgment); 08/05/2009 (Order Granting in Part Motions for Summary Judgment); 01/12/10 (Order Granting Entitlement to Attorney's Fees); 02/01/10 (Court Order on Plaintiff's Motion for Attorney's Fees and Costs; Order)	\$115,358
3/25/08	Creosote Council v. EPA, 10:08-cv-00512-JR (D. D.C.)	Creosote Council, Koppers Inc., Southern Pressure Treaters Assoc., Western Wood Preservers Institute, Treated Wood Council	EPCRA	Stayed pending further action from EPA.	n/a	none

Suits Filed from 10/1/2005 through 10/13/2011 under RCRA/SWDA, CERCLA, and EPCRA

4

Opened	Case Caption, #, and Court	Plaintiffs or Petitioners	Statute	Description of Outcome/Disposition	Date Decision Issued or Settled	Fees & Costs Paid
3/31/08	Vanadium Producers and Reclaimers Ass'n (VPRA) v. EPA (No. 08-1142) (D.C. Circuit)	VPRA; American Petroleum Institute (API); Louisiana Environmental Action Network (LEAN) and Sierra Club, and Environmental Technology Council (ETC)	RCRA	Case held in abeyance pending consideration of administrative petitions.	n/a	n/a
4/3/08	ATLANTIC WOOD INDUSTRIES, INC. v. EPA #08-1111 (D.C. Cir.)	Atlantic Wood Industries	CERCLA	Case held in abeyance pending cleanup	n/a	n/a
1/15/09	Waterkeeper Alliance v. EPA, 09-1017 (D.C. Cir.)	Waterkeeper Alliance; Sierra Club; Humane Society of the US; Environmental Integrity Project; Center for Food Safety; Citizens for Pennsylvania's Future; National Pork Producers Council	CERCLA/ EPCRA	Voluntary remand granted to US	10/19/10	none
1/18/09	Village of Stillwater, et al. v. General Electric Co. et al., 09-228 (N.D. NY)	Village of Stillwater, Town of Stillwater, Town of Waterford, Village of Waterford, Town of Halfmoon, County of Saratoga	CERCLA	Case dismissed – EPA removed from case.	5/4/09	none

Suits Filed from 10/1/2005 through 10/13/2011 under RCRA/SWDA, CERCLA, and EPCRA

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Opened	Case Caption, #, and Court	Plaintiffs or Petitioners	Statute	Description of Outcome/Disposition	Date Decision Issued or Settled	Fees & Costs Paid
1/28/09	Sierra Club v. EPA, (Docket No. 09-1041) D.C. Circuit	Sierra Club, Alliance of Automobile Manufacturers , American Chemistry Council , American Coke and Coal Chemicals Institute, American Forest & Paper Association, Inc. , American Gas Association , Edison Electric Institute , Environmental Technology Council, Inc. , Metals Industry Recycling Coalition , National Mining Association , National Paint & Coatings Association , National Rural Electric Cooperative Association , Treated Wood Council , Utility Solid Waste Activities Group , Synthetic Organic Chemical Manufacturers Association, Inc.	RCRA	Settlement Agreement reached for EPA to consider revising definition of solid waste regulation. Under the agreement EPA will take final action by December 2012. Case remains open.	Settlement Agreement filed 9/10/2010.	n/a
1/28/09	American Petroleum Institute v. EPA, 09-1039 (D.C. Cir.)	API	RCRA	Litigation ongoing	n/a	n/a
2/12/09	Sierra Club v. EPA, 09-1063 (D.C. Cir.)	LEAN, SIERRA CLUB	RCRA	Dismissed	4/28/09	none
8/11/09	RAM, Inc. v. U.S. EPA, CIV-09-307-JHP (E.D. Okla.)	RAM, Inc.	RCRA	Court entered settlement agreement; case dismissed.	4/11/11	none
11/9/09	US Magnesium LLC v. EPA, 09-1269 (D.C. Cir.)	US Magnesium LLC	CERCLA	Dismissed	1/14/11	none

Suits Filed from 10/1/2005 through 10/13/2011 under RCRA/SWDA, CERCLA, and EPCRA

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Opened	Case Caption, #, and Court	Plaintiffs or Petitioners	Statute	Description of Outcome/Disposition	Date Decision Issued or Settled	Fees & Costs Paid
5/19/11	Waste Management Inc. v. EPA; Docket No. 11-1148 (D.C. Cir.)	Waste Management, Inc., Metals Industries Recycling Coalition, American Gas Assoc., Rubber Manufacturers Assoc., Coalition for Responsible Waste Incineration, Edison Electric Institute, NORA, An Association of Responsible Recyclers, Inc., National Rural Electric Cooperative Assoc., Utility Solid Waste Activities Group, Arippa (coal miners assoc.), American Forest & Paper Assoc., Inc., American Home Furnishings Alliance, Inc., American Petroleum Institute, American Wood Council, Biomass Power Assoc., Cement Kiln Recycling Coalition, Construction Materials Recycling Assoc. Issues and Education Fund, Council of Industrial Boiler Owners, Downwinders At Risk, Hardwood Plywood & Veneer Assoc., Huron Environmental Activist League, LaFarge Building Materials, Inc., Montanans Against Toxic Burning, National Assoc. of Manufacturers, Portland Cement Assoc., Sierra Club, Rubber Manufacturers Assoc.	RCRA	Case pending		n/a

Settlement Agreements and Consent Decrees under RCRA/SWDA, CERCLA, and EPCRA
10/1/05 through 10/13/11

Date of SA/CD Entry	SA or CD?	Case Caption, #, and Court	Plaintiffs or Petitioners	Statute	Summary of SA/CD	Fees & Costs Paid
9/10/2010	SA	Sierra Club v. EPA, Docket No. 09-1041 (D.C. Cir.)	Sierra Club, Alliance of Automobile Manufacturers, American Chemistry Council, American Coke and Coal Chemicals Institute, American Forest & Paper Association, Inc., American Gas Association, Edison Electric Institute, Environmental Technology Council, Inc., Metals Industry Recycling Coalition, National Mining Association, National Paint & Coatings Association, National Rural Electric Cooperative Association, Treated Wood Council, Utility Solid Waste Activities Group, Synthetic Organic Chemical Manufacturers Association, Inc.	RCRA	EPA agreed to consider revising definition of solid waste regulation. Under the agreement EPA will take final action by December 2012. Case remains open.	n/a
4/11/2011	SA	RAM, Inc. v. U.S. EPA, CIV 09-307-JHP (E.D. Okla.)	RAM, Inc.	RCRA	RAM must pay \$65,000 in civil penalties to EPA (in settlement of counter claim); case dismissed.	n/a



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

FEB 17 2012

OFFICE OF CONGRESSIONAL AND
INTERGOVERNMENTAL RELATIONS

The Honorable Cliff Stearns
Chairman
Subcommittee on Oversight and Investigations
Committee on Energy and Commerce
U. S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

I am writing in response to your letter of October 26, 2011, which requested information about environmental litigation against the U.S. Environmental Protection Agency and the Agency's practices with regard to the settlement of such litigation. The EPA provided its first response to this request on January 17, 2011.

I am enclosing the second installment of information responsive to your request. This installment provides information relating to lawsuits against the EPA under the Clean Water Act (CWA) and the Safe Drinking Water Act (SDWA), as well as suits brought under the Administrative Procedure Act where the Agency action challenged was under the CWA or the SDWA. This information reflects available data from the Agency's databases and files.

The EPA expects to provide information relating to lawsuits against the EPA under the Clean Air Act by the end of the month.

Thank you for your letter. If you have questions, please contact me or have your staff contact Tom Dickerson on my staff at (202) 564-3638.

Sincerely,

A handwritten signature in black ink, appearing to read "Arvin Ganesan", is written over the word "Sincerely,".

Arvin Ganesan
Associate Administrator

cc: The Honorable Diana DeGette
Ranking Member

Enclosures

Water Suits filed from 10/1/2005 through 10/13/2011

Date Opened	Case Information	Plaintiffs/Petitioners	Statute	Outcome/Disposition	Date Decision Issued or Case Settled	Fees & Costs Paid
11/17/2005	Natural Resources Defense Council, et al. v. EPA; 1:05 CV 02243; D DC	Natural Resources Defense Council; Bay Area Physicians for Social Responsibility	SDWA	Dismissed following settlement.	12/15/2005	\$32,734.00
12/13/2005	Northwest Environmental Advocates v. EPA; 05 CV 1876; D OR	Northwest Environmental Advocates	CWA	Case pending.	n/a	n/a
1/19/2006	Miami-Dade County, et al. v. EPA; 06 CV 10551-A; 11th Cir.	Miami-Dade County; Palm Beach County; City of Miramar; City of Cooper; City of Ft. Lauderdale; City of Sunrise; Sierra Club; City of Margate	SDWA	Partly decided in EPA's favor. Partly dismissed following settlement.	6/6/2008	\$0.00
2/20/2006	City of Portland v. EPA; 06-1088; DC Cir.	City of Portland	SDWA	Decided in EPA's favor.	11/6/2007	\$0.00
4/7/2006	Northwest Environmental Advocates v. EPA; 06 CV 479; D OR	Northwest Environmental Advocates	CWA	Held in abeyance following settlement.	5/29/2008	\$60,000.00
4/26/2006	Kentucky Waterways Alliance, et al. v. EPA; 06-5614; 6th Cir.	Floyds Fork Environmental Association; Kentuckians for the Commonwealth; Kentucky Waterways Alliance; Kerry Thomas; Sierra Club Cumberland Chapter	CWA	Decided partly in EPA's favor and partly in Petitioners' favor.	9/3/2008	\$147,638.15
5/3/2006	Pennaco Energy Inc, et al. v. EPA; 06 CV 229-B; D WY	Devon Energy Corporation; Marathon Oil Company; Pennaco Energy Inc; Nance Petroleum Corporation; Yates Petroleum Corp.	CWA	Decided in Plaintiff's favor.	10/13/2009	\$0.00
5/18/2006	Town of Scituate v. EPA; 06-1817; 1st Cir.	Town of Scituate	CWA	Petition withdrawn.	n/a	\$0.00
5/30/2006	National Wildlife Federation, et al. v. EPA; 06-12423; ED MI	National Wildlife Federation; Lone Tree Council	CWA	Dismissed following settlement.	11/30/2007	\$27,273.00
6/7/2006	California Native Plant Society, et al. v. EPA, et al.; 06-3604; ND CA	Butte Environmental Council; California Native Plant Society; Defenders of Wildlife	CWA	Case pending.	n/a	n/a

Water Suits filed from 10/1/2005 through 10/13/2011

Date Opened	Case Information	Plaintiffs/Petitioners	Statute	Outcome/Disposition	Date Decision Issued or Case Settled	Fees & Costs Paid
6/23/2006	Natural Resources Defense Council v. EPA; 06-73217; 9th Cir.	Natural Resources Defense Council	CWA	Decided in Petitioner's favor.	5/23/2008	\$117,125.00
7/13/2006	St. Johns Riverkeeper, et al. v. EPA; 4:06 cv 332; ND FL	St. Johns Riverkeeper; Linda Young	CWA	Dismissed.	2/25/2008	\$0.00
7/16/2006	Alliance to Save the Mattaponi v. EPA; 06 CV 1268; D DC	Alliance to Save the Mattaponi	CWA	Decided in Plaintiff's favor. Petition for attorney's fees pending.	3/31/2009	n/a
8/2/2006	Natural Resources Defense Council, et al. v. EPA; CV 06-4843; CD CA	Natural Resources Defense Council; LA Flood Control District; Nat'l Assoc. of Clean Water Agencies	CWA	Decided partly in Plaintiffs' favor. Held in abeyance following settlement.	9/4/2008	\$794,000.00
8/10/2006	Thomas, et al. v. EPA; 1:06-cv-00115; ND IA	James Thomas; Kerry Thomas; Nancy Norlin; Sierra Club	CWA	Decided in EPA's favor.	3/20/2008	\$0.00
8/23/2006	Ecological Rights Foundation, et al. v. EPA; C 06 5159SC; ND CA	Baykeeper; Ecological Rights Foundation; Communities for a Better Environment	CWA	Dismissed following settlement.	6/20/2007	\$125,000.00
9/11/2006	State of Wyoming v. EPA; 06 CV 228-B; D WY	State of Wyoming	CWA	Decided in Plaintiff's favor.	10/13/2009	\$0.00
9/11/2006	Anadarko Petroleum Corp. v. EPA; 06CV-235; D WY	Anadarko Petroleum Corp.	CWA	Decided in Plaintiff's favor.	10/13/2006	\$0.00
9/13/2006	Baykeeper, et al. v. EPA; C 06-5611; ND CA	Baykeeper; Communities for a Better Environment; Ecological Rights Foundation; Humboldt Baykeeper	CWA	Dismissed.	6/22/2007	\$0.00
11/7/2006	Riverkeeper, Inc., et al. v. EPA; 06-CV-12987; SD NY	American Littoral Society; Delaware Riverkeeper Network; Friends of Casco Bay; Natural Resources Defense Council; Riverkeeper, Inc.; Raritan Baykeeper Inc.; Santa Monica Baykeeper; Save the Bay; Soundkeeper Inc.; Surfrider Foundation; Waterkeeper Alliance; Massachusetts Public Interest Research Group	CWA	Dismissed following settlement.	11/22/2010	\$95,500.00

Water Suits filed from 10/1/2005 through 10/13/2011

Date Opened	Case Information	Plaintiffs/Petitioners	Statute	Outcome/Disposition	Date Decision Issued or Case Settled	Fees & Costs Paid
11/20/2006	Citizens Legal Enforcement and Restoration v. EPA; 06 CV 2545; SD CA	Citizens Legal Enforcement and Restoration	CWA	Dismissed.	3/27/2007	\$0.00
12/14/2006	National Cotton Council, et al. v. EPA; 06-4630; 6th Cir.	National Cotton Council; Environment Maine; Waterkeeper Alliance; BASF Corp.; Syngenta Corp.; Delta Council; Illinois Fert. & Chem. Ass'n; Agribusiness Ass'n of Iowa; Baykeeper; Southern Crop Prod. Ass'n; Croplife America	CWA	Decided partly in EPA's favor and partly in Petitioners' favor.	1/7/2009	\$500,000.00
3/13/2007	Ohio Valley Environmental Coalition, et al. v. EPA; 3:07-0160; S.D.W.Va	Ohio Valley Environmental Coalition; West Virginia Highlands Conservancy, Inc.	CWA	Dismissed following settlement.	8/20/2007	\$2,805.00
4/17/2007	Central Savannah River Area TMDL Group v. EPA; 1:07 cv 61; SD GA	Central Savannah River Area TMDL Group	CWA	Voluntary dismissal by Plaintiffs.	9/10/2007	\$0.00
5/2/2007	Delaware County Safe Drinking Water Coalition, Inc. v. Kathleen McGinty et al.; 07-1782; ED PA	Delaware County Safe Drinking Water Coalition, Inc.	CWA	Dismissed.	12/29/2008	\$0.00
5/9/2007	Friends of the Earth v. EPA; 07-cv-000872; D DC	Friends of the Earth	CWA	Dismissed following settlement.	1/22/2008	\$19,000.00
6/1/2007	Coalition of Watershed Towns v. EPA; 07-2449; 2nd Cir.	Coalition of Watershed Towns	SDWA	Dismissed.	12/29/2008	\$0.00
6/15/2007	Cook Inletkeeper, et al. v. EPA; 07-2420; 9th Cir.	Cook Inletkeeper; Cook Inlet Fishermen's Fund; Native Village of Nanwalek; Native Village of Port Graham; United Cook Inlet Drift Association	CWA	Partial voluntary remand, partially decided in favor of EPA.	10/21/2010	\$0.00
7/3/2007	Union Oil Company of California v. EPA; 07-72656; 9th Cir.	Union Oil Company of California	CWA	Dismissed following settlement.	8/21/2008	\$0.00
7/27/2007	Klamath Riverkeeper v. EPA; 3:07 cv 3908; ND CA	Klamath Riverkeeper	CWA	Dismissed following settlement.	7/9/2008	\$65,459.20

Water Suits filed from 10/1/2005 through 10/13/2011

Date Opened	Case Information	Plaintiffs/Petitioners	Statute	Outcome/Disposition	Date Decision Issued or Case Settled	Fees & Costs Paid
9/20/2007	Northwest Environmental Defense Center, et al. v. EPA; CV 07-1396; D OR	Northwest Environmental Defense Center; Northwest Environmental Advocates; Columbia Riverkeeper; Willamette Riverkeeper	CWA	Dismissed following settlement.	6/7/2010	\$40,000.00
9/25/2007	American Farm Bureau Federation, et al. v. EPA; 07-60620; 5th Cir.	American Farm Bureau Federation; National Pork Producers Council	CWA	Dismissed.	2/26/2009	\$0.00
1/15/2008	LeBlanc v. EPA; 08-3049; 6th Cir.	LeBlanc	SDWA	Decided in EPA's favor.	2/12/2009	\$0.00
1/30/2008	Wild Fish Conservancy, Inc. v. EPA; 08-CV-00156; WD WA	Wild Fish Conservancy, Inc.	CWA	Decided in Plaintiff's favor.	4/28/2010	\$0.00
4/28/2008	Sackett v. EPA; CV-08-0185; D ID	Sackett, Chantell; Sackett, Michael	CWA	Decided in EPA's favor (8/7/2008). Appealed to 9th Circuit and affirmed (9/17/2010). Supreme Court granted cert., pending.	8/7/2008	\$0.00
5/30/2008	PPG v. EPA; 2:08 cv 766; WD LA	PPG	CWA	Case pending.	n/a	n/a
6/20/2008	Catskill Mountains Chapter of Trout Unlimited, et al. v. EPA; 08 CV 5606; consolidated with 08 CV 8430; SD NY	Catskill Mountains Chapter of Trout Unlimited, Inc.; Theodore Gordon Flyfishers, Inc.; Catskill-Delaware Natural Water Alliance, Inc.; Federated Sportsmen's Clubs of Ulster County, Inc.; Riverkeeper, Inc.; Waterkeeper Alliance, Inc.; Trout Unlimited, Inc.; National Wildlife Federation; Environment America; Environment New Hampshire; Environment Rhode Island; Environment Florida; New York; Connecticut; Delaware; Illinois; Maine; Michigan; Minnesota; Missouri; Washington; Government of the Province of Manitoba, Canada	CWA	Case pending.	n/a	n/a

Water Suits filed from 10/1/2005 through 10/13/2011

Date Opened	Case Information	Plaintiffs/Petitioners	Statute	Outcome/Disposition	Date Decision Issued or Case Settled	Fees & Costs Paid
6/27/2008	Friends of the Everglades, et al. v. EPA; 08-13652-CC; consolidated with 08-13653-CC, 08-13657-CC, 08-14921-CC, and 08-16283-CC; 11th Cir.	Friends of the Everglades; Miccosukee Tribe of Indians of Florida; Florida Wildlife Federation, Inc.; Sierra Club; Environmental Confederation of Southwest Florida; New York; Connecticut; Delaware; Illinois; Maine; Michigan; Minnesota; Missouri; Washington; and the Government of the Province of Manitoba, Canada.	CWA	Case pending.	n/a	n/a
7/15/2008	D.C. Water and Sewer Authority (WASA) v. EPA; 08-1251; DC Cir.	D.C. Water and Sewer Authority (WASA)	CWA	Dismissed.	12/12/2008	\$0.00
7/17/2008	Florida Wildlife Federation v. EPA; 4:08 cv 00324; ND FL	Florida Wildlife Federation, Sierra Club, Conservancy of Southwest Florida, Environmental Confederation of Southwest Florida, St. Johns Riverkeeper	CWA	Held in abeyance following settlement.	12/30/2009	\$198,997.00
8/12/2008	City of Keene v. EPA; 08-2020; 1st Cir.	City of Keene	CWA	Dismissed.	12/22/2008	\$0.00
8/13/2008	Service Oil Co. v. EPA; 08-2819; 8th Cir.	Service Oil Co.	CWA	Decided in Plaintiff's favor.	12/28/2009	\$0.00
9/15/2008	Friends of the Everglades, et al. v. United States of America, et al.; 08-21785-CIV; SD FL	Friends of the Everglades; Miccosukee Tribe of Indians of Florida; Rivers Coalition Defense Fund; Florida Wildlife Federation	CWA	Case pending.	n/a	n/a
9/29/2008	Wild Fish Conservancy, Inc. v. Quilcene National Fish Hatchery, et al.; 3:08-cv-05585; WD WA	Wild Fish Conservancy, Inc.	CWA	Dismissed following settlement.	7/12/2010	\$90,000.00
10/8/2008	City and County of Honolulu v. EPA; 08-00404; D HI	City and County of Honolulu	CWA	Decided in EPA's favor.	3/27/2009	\$0.00
10/24/2008	Dee Thomas Murphy v. EPA; C 08 4876; ND CA	Dee Thomas Murphy	CWA	Dismissed.	2/2/2009	\$0.00

Water Suits filed from 10/1/2005 through 10/13/2011

Date Opened	Case Information	Plaintiffs/Petitioners	Statute	Outcome/Disposition	Date Decision Issued or Case Settled	Fees & Costs Paid
10/28/2008	Conservation Law Foundation v. EPA; 2:08-CV-238; D VT	Conservation Law Foundation	CWA	Dismissed following settlement.	2/4/2011	\$38,826.62
11/26/2008	Akiak Native Community, et al. v. EPA; 08-74872; 9th Cir.	Akiak Native Community; Nunamta Aulukestai; Nondalton Tribal Council; Curyung Tribal Council; Cook Inletkeeper; Alaska Center for the Environment; Alaska Community Action on Toxics; Center for Biological Diversity; The Center for Water Advocacy	CWA	Decided in EPA's favor.	11/4/2010	\$0.00
12/10/2008	Natural Resources Defense Council, et al. v. EPA; 08-75023 (9th Cir.); 09-60510 (5th Cir.)	Natural Resources Defense Council; Sierra Club; Waterkeeper Alliance	CWA	Dismissed following settlement.	5/25/2010	\$95,000.00
12/10/2008	National Pork Producers Council, et al. v. EPA; 08-61093; 5th Cir.	National Pork Producers Council; American Farm Bureau Federation	CWA	Decided partly in EPA's favor and partly in Petitioners' favor.	3/15/2011	\$0.00
12/12/2008	Arthur West v. Stephen L. Johnson, et al.; C08-5741; WD WA	Arthur S. West	CWA	Decided in EPA's favor.	12/7/2010	\$0.00
12/22/2008	Coal River Mountain Watch, et al. v. Kempthorne, et al.; 1:08-cv-02212; D DC	Coal River Mountain Watch; Kentucky Waterways Alliance; Ohio Valley Environmental Coalition; Sierra Club; Waterkeeper Alliance; West Virginia Highlands Conservancy; Save our Cumberland Mountains, Southern Appalachian Mountain Stewards.	CWA	Held in abeyance following settlement.	3/19/2010	\$0.00
1/5/2009	Lake Carriers Ass'n. v. EPA; 09-1001; DC Cir.; (including following consolidated cases: 09-1076; 09-1115)	Lake Carriers Ass'n; American Waterways Operators; Canadian Shipowners Ass'n	CWA	Decided in EPA's favor	7/22/11	\$0.00

Water Suits filed from 10/1/2005 through 10/13/2011

Date Opened	Case Information	Plaintiffs/Petitioners	Statute	Outcome/Disposition	Date Decision Issued or Case Settled	Fees & Costs Paid
1/5/2009	Chesapeake Bay Foundation, et al. v. EPA; 1:09-cv-00005; D DC	C. Bernard Fowler; Harry R. Hughes; W. Tayloe Murphy, Jr.; Anthony Williams; Chesapeake Bay Foundation; Maryland Saltwater Sportsfisherman's Assoc.; Maryland Waterman's Assoc., Inc.; Virginia Waterman's Assoc.	CWA	Dismissed following settlement.	5/10/2010	\$0.00
1/7/2009	St. Mary's Railway West, LLC, et al. v. EPA; 5:08 cv 100; SD GA	St. Mary's Railway West, LLC; Claudius Strickland	CWA	Dismissed.	4/14/2009	\$0.00
1/9/2009	Northwest Environmental Advocates v. EPA; 09-0017; D OR	Northwest Environmental Advocates	CWA	Dismissed following settlement.	9/27/2010	\$83,500.00
1/12/2009	Natural Resources Defense Council, et al. v. EPA; 09-1089, 09-1131, 09-1135, 09-1162, 09-1163 (consolidated); DC Cir.	Center for Biological Diversity; League of Ohio Sportsmen; Michigan; Minnesota Conservation Federation; National Wildlife Federation; Natural Resources Defense Council; Northwest Environmental Advocates; Ohio Environmental Council; People for Puget Sound	CWA	Held in abeyance following settlement.	3/8/2011	\$131,922.00
1/15/2009	Anacostia Riverkeeper, Inc., et al. v. EPA; 1:09-cv-00097; D DC	Anacostia Riverkeeper, Inc.; Friends of the Earth	CWA	Decided partly in EPA's favor and partly in Plaintiffs' favor.	7/25/2011	\$18,321.00
1/15/2009	Anacostia Riverkeeper, Inc., et al. v. EPA; 1:09-cv-00098; D DC	Anacostia Riverkeeper, Inc.; Friends of the Earth; Potomac Riverkeeper, Inc.	CWA	Decided in Plaintiffs' favor.	5/25/2010	\$27,660.55
1/16/2009	National Parks Conservation Association v. Kempthorne, et al.; 1:09-cv-00115; D DC	National Parks Conservation Association	CWA	Held in abeyance following settlement.	3/19/2010	\$0.00
2/26/2009	Weisberg, Richard v. EPA; 309 CV 329; D CT	Weisberg, Richard	CWA	Dismissed following settlement.	3/12/2010	\$1,178.55

Water Suits filed from 10/1/2005 through 10/13/2011

Date Opened	Case Information	Plaintiffs/Petitioners	Statute	Outcome/Disposition	Date Decision Issued or Case Settled	Fees & Costs Paid
3/1/2009	South Carolina Coastal Conservation League v. ACOE; 2:09-cv-00741; D SC	South Carolina Coastal Conservation League	CWA	Court granted voluntary remand.	9/1/2009	\$50,000.00
3/9/2009	Florida Wildlife Federation, et al. v. EPA; 04-09-cv-00089; ND FL	Environmental Confederation of Southwest Florida; Florida Wildlife Federation; Save Our Creeks	CWA	Dismissed by plaintiffs.	10/12/2011	\$0.00
3/11/2009	National Association of Home Builders v. EPA; 09-0548; D DC	National Association of Home Builders	CWA	Decided in EPA's favor.	12/9/2011	\$0.00
4/8/2009	Linda Young, et al. v. EPA; 04:09 cvl 27; ND FL	Linda Young; Florida Clean Water Network, Inc.	CWA	Dismissed following settlement.	12/21/2009	\$13,634.50
5/5/2009	Florida Clean Water Network, Inc., et al. v. EPA; 4:09-cv-00165; ND FL	Florida Clean Water Network, Inc.; Conservancy of Southwest Florida; St. John's Riverkeeper; Linda Young	CWA	Case pending.	n/a	n/a
5/14/2009	Center for Biological Diversity v. EPA; 2:09 cv 670; W.D. Wash.	Center for Biological Diversity	CWA	Dismissed following settlement.	5/10/2010	\$18,000.00
5/26/2009	Michael Mitchell v. EPA; 09-CV-01205; D CO	Michael Mitchell	SDWA	Stipulated dismissal by plaintiff.	8/21/2009	\$0.00
6/9/2009	Alfred J. Davis, et al. v. EPA; 8:09-cv-01070; MD FL	Alfred J. Davis and Cynthia F. Davis	CWA	Dismissed following settlement.	12/20/2010	\$49,929.00
6/29/2009	City of Pittsfield, Massachusetts v. EPA; 09-1879; 1st Cir.	City of Pittsfield, Massachusetts	CWA	Decided in EPA's favor.	7/16/2010	\$0.00
8/11/2009	Board of Mississippi Levee Commissioners v. EPA; 4:09-cv-00081; ND MS	Board of Mississippi Levee Commissioners	CWA	Decided in EPA's favor. Appealed to the 5th Circuit.	3/28/2011	\$0.00
10/21/2009	Historic Green Springs, Inc., et al. v. EPA; 3:09-cv-00075; WD VA	Historic Green Springs, Inc.; Reginald Murphy; Jane Stewart Murphy; Sergio Sobral; Gail Fleury Sobral	CWA	Decided in EPA's favor.	9/29/2010	\$0.00

Water Suits filed from 10/1/2005 through 10/13/2011

Date Opened	Case Information	Plaintiffs/Petitioners	Statute	Outcome/Disposition	Date Decision Issued or Case Settled	Fees & Costs Paid
11/4/2009	Friends of the Everglades, et al. v. EPA; 1:04-civ-21448; SD FL	Friends of the Everglades; Miccosukee Tribe of Indians	CWA	Case pending.	n/a	n/a
11/4/2009	Florida Water Environment Association Utility Council, et al. v. EPA; 4:09 cv 428; 4:09 cv 436; ND FL	Florida Water Environment Association Utility Council; South Florida Water Management District; Florida Utility Group	CWA	Decided in EPA's favor.	9/30/2011	\$0.00
12/11/2009	Delaware Estuary TMDL Coalition, et al. v. EPA; 09-5972; ED PA	Delaware Estuary TMDL Coalition; Camden County Municipal Utilities Authority; Delaware County Regional Water Quality Control Authority; E.I. DuPont de Nemours and Co.; Excalon Generation Co.; Amtrak; Conectiv Atlantic Generation; Conectiv Delmarva Generation; Conectiv Bethlehem; PSEG Power LLC; PSEG Nuclear LLC; PSEG Fossil LLC; Rohm and Haas Co.; Rohm & Haas Chemicals Inc.; Sunoco Inc.; Sunoco Inc. (R&M); Sunoco Chemicals Inc.; Valero Refining Co.	CWA	Case pending.	n/a	n/a
12/28/2009	Wisconsin Builders Association, et al. v. EPA; 09-1327; 7th Cir.	National Association of Home Builders; UWAG; Wisconsin Builders Association	CWA	Case pending.	n/a	n/a
2/25/2010	South Florida Water Management District, et al. v. EPA; 10-10886-E; 10-11121-E; 11th Cir.	South Florida Water Management District; Florida Water Environment Association Utility Council	CWA	Decided in EPA's favor.	8/2/2011	\$0.00
4/2/2010	Mingo Logan v. EPA; No. 1:10-CV-00541; D DC	Mingo Logan	CWA	Case pending.	n/a	n/a
4/19/2010	Idaho Conservation League v. EPA; 10-cv-207; D ID	Idaho Conservation League	CWA	Dismissed following settlement.	4/14/2011	\$18,000.00
4/20/2010	Sanders v. EPA; 7:10-cv-968; D SC	Launeil Sanders	CWA	Case pending.	n/a	n/a

Water Suits filed from 10/1/2005 through 10/13/2011

Date Opened	Case Information	Plaintiffs/Petitioners	Statute	Outcome/Disposition	Date Decision Issued or Case Settled	Fees & Costs Paid
4/27/2010	Estate of Edward J. Klockenkemper, et al. v. EPA;	Estate of Edward J. Klockenkemper; Rocky Well Service Inc.	SDWA	Case pending	n/a	n/a
5/5/2010	Deerfield Plantation Phase II-B Property Owners Association, Inc. v. Corps; 4:09cv-01023; D SC	Deerfield Plantation Phase II-B Property Owners Association, Inc.	CWA	Decided in EPA's favor.	7/12/2011	\$0.00
6/9/2010	Boyer, Inc. v. American Canoe Association, et al.; 1:10-cv-00967; D DC	Boyer, Inc.	CWA	Voluntarily dismissed.	9/15/2010	\$0.00
7/2/2010	Environmental Geo-Technologies, LLC, et al. v. EPA; 10-12641; ED MI	Environmental Geo-Technologies, LLC; Police and Fire Retirement System of the City of Detroit; RDD Investment Corp.; RDD Operations LLC	SDWA	Held in abeyance following settlement. Negotiations still underway concerning attorneys fees.	7/2/2010	n/a
7/20/2010	National Mining Association, et al. v. Lisa Jackson, et al.; 10-1220 (consolidated with 11-0295, 11-0446, and 11-0447); D DC	National Mining Association; Commonwealth of Kentucky, City of Pikeville, State of West Virginia, Kentucky Coal Association	CWA	Decision in Plaintiffs favor. Case still pending.	n/a	n/a
7/23/2010	Iowa League of Cities v. EPA; 10-2646; 8th Cir.	Iowa League of Cities	CWA	Dismissed.	11/6/2010	\$0.00
7/26/2010	The Patuxent Riverkeeper v. EPA; Corps; 8:10-cv-01834; D MD	The Patuxent Riverkeeper	CWA	Case pending.	n/a	n/a

Water Suits filed from 10/1/2005 through 10/13/2011

Date Opened	Case Information	Plaintiffs/Petitioners	Statute	Outcome/Disposition	Date Decision Issued or Case Settled	Fees & Costs Paid
8/4/2010	Missouri Coalition for the Environment Foundation v. EPA; 2:10-cv-04169; WD MO	Missouri Coalition for the Environment Foundation	CWA	Case pending.	n/a	n/a
8/20/2010	City and County of Honolulu v. EPA; 10-72575; 9th Cir.	City and County of Honolulu	CWA	Case voluntarily dismissed by Plaintiff.	2/24/2011	\$0.00
9/10/2010	Kentucky Waterways Alliance, et al. v. EPA; 3:10-cv-588-H; WD KY	Kentucky Waterways Alliance; Kentuckians for the Commonwealth; Sierra Club Cumberland Chapter	CWA	Case dismissed.	12/3/2010	\$0.00
9/27/2010	Conservation Law Foundation v. EPA; 10-2141; 1st Cir.	Conservation Law Foundation	CWA	Decided in EPA's favor.	12/6/2010	\$0.00
11/8/2010	Defenders of Wildlife, et al. v. Jackson; 10-cv-01915; D DC	Defenders of Wildlife; Sierra Club	CWA	Case pending following filing of consent decree.	11/8/2010	\$40,000.00
11/12/2010	Hayden Area Regional Sewer Board, City of Post Falls v. EPA; 1:10-cv-00362; D ID	Hayden Area Regional Sewer Board, City of Post Falls	CWA	Case pending.	n/a	n/a
11/15/2010	Florida Wildlife Federation, et al. v. EPA; Case No. 4:10-cv-00511; ND FL	Florida Wildlife Federation; Gulf Restoration Network; Natural Resources Defense Council; State of Florida Department of Agriculture and Consumer Services; CF Industries; The Mosaic Company; Florida Pulp and Paper Association	CWA	Case pending.	n/a	n/a
12/15/2010	South Florida Water Management District v. EPA; No. 10-15738; 11th Cir.	South Florida Water Management District	CWA	Decided in EPA's favor.	7/13/2011	\$0.00
1/10/2011	American Farm Bureau Federation, et al. v. EPA; 1:11-cv-00067; MD PA	American Farm Bureau Federation; National Chicken Council; National Pork Producers Council; Pennsylvania Farm Bureau; Fertilizer Institute; National Corn Growers Association; U.S. Poultry & Egg Association; National Turkey Federation; National Home Builders Association	CWA	Case pending.	n/a	n/a
1/21/2011	Range Resources Corporation, et al. v. EPA; 11-60040; 5th Cir.	Range Resources Corporation; Range Production Co.	SDWA	Case pending.	n/a	n/a

Water Suits filed from 10/1/2005 through 10/13/2011

Date Opened	Case Information	Plaintiffs/Petitioners	Statute	Outcome/Disposition	Date Decision Issued or Case Settled	Fees & Costs Paid
1/28/2011	Sanders v. EPA; 6:11cv-00231; D SC	Sanders	CWA	Decided in EPA's favor.	2/22/2011	\$0.00
3/4/2011	Conservation Law Foundation, et al. v. EPA; 1:10-cv-1455; D MA	Conservation Law Foundation; Coalition for Buzzards Bay	CWA	Case pending.	n/a	n/a
3/10/2011	Midnight Pass Society Inc., et al. v. EPA; 8:11-cv-507; MD FL	Midnight Pass Society; Turtles Inc.; Turtle Beach Marina, LLC; Ophelia's Restaurant; Vince Plodzien; Randy Cornell; Steve Brannan; Arthur Singleton	CWA	Dismissed.	8/10/2011	\$0.00
4/13/2011	Barnum Timber Co. v. EPA; 3:08cv1988; ND CA	Barnum Timber Co.	CWA	Decided partly in EPA's favor and partly in Plaintiffs favor. Plaintiff has appealed to 9th Cir.	12/16/2011	\$0.00
4/19/2011	Native Village of Point Hope v. EPA; 2:11-cv-00667; D AK	Native Village of Point Hope, Alaska Community Action on Toxics, and Northern Alaska Environmental Center	CWA	Case pending.	n/a	n/a
4/29/2011	Upper Blackstone Water Pollution Abatement District, et al. v. EPA; 11-1474; 1st Cir.	Upper Blackstone Water Pollution Abatement District; Conservation Law Federation	CWA	Case pending.	n/a	n/a
5/20/2011	Vermont Department of Public Service, et al. v. NRC; 11-1168; 11-1177; DC Cir.	Vermont Department of Public Service, New England Coalition	CWA	Case pending.	n/a	n/a
5/31/2011	Northwest Environmental Advocates v. EPA; 3:11-cv-862; D OR	Northwest Environmental Advocates	CWA	Dismissed voluntarily by plaintiff.	10/7/2011	\$0.00
6/4/2011	Native Village of Kivalina IRA Council, et al. v. EPA; 11-70776; 9th Cir.	Native Village of Kivalina IRA Council; Native Village of Point Hope IRA Council	CWA	Case pending.	n/a	n/a
6/13/2011	City of Columbia (MO), et al. v. EPA; 2:11-cv-04155-FJG; WD MO	City of Columbia (MO); The Curators of the University of Missouri; Boone County (MO)	CWA	Case pending.	n/a	n/a

Water Suits filed from 10/1/2005 through 10/13/2011

Date Opened	Case Information	Plaintiffs/Petitioners	Statute	Outcome/Disposition	Date Decision Issued or Case Settled	Fees & Costs Paid
7/5/2011	State Water Contractors, et al. v. EPA; 11-16617; 9th Cir.	State Water Contractors; San Luis & Delta-Mendota Water Authority; Westlands Water District; Steward and Jasper Orchards; Arroyo Farms, LLC; King Pistachio Grove; Metropolitan Water District of Southern California, Coalition for a Sustainable Delta; Kern County Water Agency; Family Farm Alliance	CWA	Case pending.	n/a	n/a
7/27/2011	Delaware Riverkeeper, et al. v. EPA; 3:11-cv-04302; D NJ	Delaware Riverkeeper Network; Delaware Riverkeeper	CWA	Case pending.	n/a	n/a
9/8/2011	Leimco Development Co. v. EPA; No. 1:10 CV 449; ND OH	Leimco Development Co.	CWA	Case pending.	n/a	n/a
9/19/2011	Conservation Law Foundation, et al. v. EPA; 11-cv-1657; D MA	Conservation Law Foundation; Coalition for Buzzards Bay	CWA	Case pending.	n/a	n/a
9/30/2011	City of Springfield v. EPA; 6:11-cv-03383; WD MO	City of Springfield	CWA	Case pending.	n/a	n/a
10/6/2011	National Wildlife Federation, et al. v. EPA; 1:11-cv-01777; D DC	National Wildlife Federation; Minnesota Conservation Federation	CWA	Case pending.	n/a	n/a
10/7/2011	El Dorado Chemical Company v. EPA; CV: 11-1059; WD AR	El Dorado Chemical Company	CWA	Case pending.	n/a	n/a

Water - Settlement Agreements and Consent Decrees
10/1/2005 through 10/13/2011

Date SA/CD Entry	SA or CD?	Case Information	Plaintiffs/Petitioners	Statute	Summary of SA/CD	Fees & Costs Paid
11/9/2005	SA	Minnesota Center for Environmental Advocacy v. EPA; 03-5450; D MN	Minnesota Center for Environmental Advocacy	CWA	1. On 6/23/05 the court remanded EPA's approval of MN's regional fecal coliform TMDL. 2. On 11/9/05, EPA signed a settlement agreement to pay plaintiffs \$45,000 in attorney fees and costs.	\$45,000.00
12/13/2005	SA,CD	Natural Resources Defense Council, et al. v. EPA; 1:05 CV 02243; D DC	Natural Resources Defense Council; Bay Area Physicians for Social Responsibility	SDWA	Signed 11/16/2005. Consent Decree obligation to take final action on Stage 2 Disinfectants and Disinfection By-Products Rule by December 15, 2005. First settlement agreement obligation also satisfied on December 15, 2005 when EPA signed final Long-Term 2 Enhanced Surface Water Treatment Rule ("LT2"). Second settlement agreement obligation satisfied in December 2006 when EPA promulgated the Ground Water Rule.	\$32,734.00
3/1/2006	SA	Linda Young, et al. v. EPA; 3:04-CV-699; MD FL	Linda Young; St. Johns Riverkeeper	CWA	1. On 9/20/05, court granted EPA motion for voluntary remand of approval of St. Johns River (FL) TMDL. On 10/25/2005, EPA recinded TMDL. On 1/23/2006 EPA established new TMDL for the river. 2. On 3/1/2006, EPA and plaintiffs entered stipulated settlement agreement to pay \$19,801.25 in attorneys fees.	\$19,801.25
8/17/2006	SA	Iowa Environmental Council, et al. v. EPA; CV 05-346; SD IA	Iowa Environmental Council; Northeast Iowa Citizens for Clean Water; Sierra Club; Steve Veysey	CWA	EPA agreed to make a CWA determination, by a date certain, whether or not Iowa requires new or revised chloride water quality standards, unless Iowa first submits such standards for EPA review.	\$8,414.00
3/1/2007	SA	Miami-Dade County, et al. v. EPA; 06-10551-A; 11th Cir.	Miami-Dade County; Palm Beach County; of Miramar; City of Miramar; City of Cooper; City of Ft. Lauderdale; City of Sunrise; Sierra Club; City of Margate	SDWA	1. Eleventh Circuit denied petitions of non-settling defendants for review and upheld SDWA legality of Florida-specific UIC Class 1 rule. 2. On 3/1/2007, EPA signed settlement agreement with certain plaintiffs (Palm Beach County and City of Fort Lauderdale) and State of Florida. EPA agreed to provide status reports but did not promise to do anything else of a substantive nature. Plaintiffs reserved right to lift stay if FL did not promulgate and EPA did not approve revised regulations. Otherwise, plaintiffs agreed to dismiss their suits.	\$0.00
5/31/2007	SA	National Association of Home Builders, et al. v. Army Corps of Engineers et al.; 1:01 CV 00274; D DC	National Association of Home Builders; National Stone, Sand and Gravel Association	CWA	District Court declared EPA's "Tulloch II" rule invalid on 1/30/07. The Government agreed to pay attorneys' fees. (EPA and ACOE split the fees.)	\$147,542.58
6/20/2007	SA	Ecological Rights Foundation, et al. v. EPA; C 06 5159SC; ND CA	Baykeeper; Ecological Rights Foundation; Communities for a Better Environment	CWA	1. EPA committed to review and report to plaintiffs on compliance schedules in at least 12 CA NPDES permits. 2. EPA also agreed to pay plaintiffs \$125,000 in attorneys fees.	\$125,000.00
8/15/2007	SA	Friends of the Earth v. EPA; 1:04 CV 00092; D DC	Friends of the Earth	CWA	1. On 4/25/2006, DC Circuit held that TMDLs for DC waters were unlawful under CWA 303(d) because not expressed as "daily loads." 2. On 8/15/2007, EPA signed settlement agreement to pay Friends of the Earth \$99,660.00 in attorneys fees.	\$99,660.00
8/20/2007	SA	Ohio Valley Environmental Coalition, et al. v. EPA; 3:07-0160; SD WV	Ohio Valley Environmental Coalition; West Virginia Highlands Conservancy, Inc.	CWA	EPA agreed to respond to plaintiffs' administrative petition by 9/21/07.	\$2,805.00
11/30/2007	CD	National Wildlife Federation, et al. v. EPA; 06-12423; ED MI	National Wildlife Federation; Lone Tree Council	CWA	Intervenor-defendant State of Michigan agreed to certain actions regarding adoption and implementation of a mercury variance policy. No EPA commitments.	\$27,273.00
1/22/2008	SA	Friends of the Earth v. EPA; 07-cv-000872; D DC	Friends of the Earth	CWA	EPA agrees to prepare, invite public comment, then publish a cruise ship discharge assessment report.	\$19,000.00

Water - Settlement Agreements and Consent Decrees
10/1/2005 through 10/13/2011

Date SA/CD Entry	SA or CD?	Case Information	Plaintiffs/Petitioners	Statute	Summary of SA/CD	Fees & Costs Paid
5/29/2008	CD	Northwest Environmental Advocates v. EPA; 06 CV 479; D OR	Northwest Environmental Advocates	CWA	Fixed schedule for EPA to review, under CWA 303(c), Oregon's water quality standards submission from July 8, 2004.	\$60,000.00
7/9/2008	SA	Klamath Riverkeeper v. EPA; 3:07 cv 3908; ND CA	Klamath Riverkeeper	CWA	EPA took action to disapprove California's CWA 303(d) list and identify a segment of the Klamath River as impaired for microcystin toxin.	\$65,459.20
8/21/2008	SA	Union Oil Company of California v. EPA; 07-72656; 9th Cir.	Union Oil Company of California	CWA	EPA agreed to permit modification based on interpretation of ELG.	\$0.00
8/27/2008	SA	Sierra Club, Inc., et al. v. EPA; 4:04 cv 120; ND FL	Florida Public Interest Research Group Citizen Lobby, Inc.; Linda Young; Save Our Suwannee, Inc.; Sierra Club, Inc.; Friends of St. Sebastian	CWA	Resolution of litigation begun in 2004 challenging EPA's approval of Florida's CWA 303(d) list of Impaired Waters. Court of Appeals reversed and remanded in part in 2007. On remand, EPA issued new decision; plaintiffs dismissed their appeal after EPA issued revised decision.	\$169,000.00
9/04/2008	SA;CD	Natural Resources Defense Council, et al. v. EPA; CV 06-4843; CD CA	Natural Resources Defense Council; LA Flood Control District; National Assoc. of Clean Water Agencies	CWA	EPA commitment to deadlines to complete studies pursuant to CWA section 104(v) and publish new or revised recommended water quality criteria for pathogens and pathogen indicators pursuant to CWA section 304(a)(9). Fees were paid as follows: \$498,000 to NRDC, \$201,000 to LA Flood Control District, \$95,000 to NACWA. SA signed 8/7/08; CD entered 9/4/08.	\$794,000.00
2/26/2009	SA	Natural Resources Defense Council v. EPA; 06-73217; 9th Cir.	Natural Resources Defense Council	CWA	9th Circuit vacated EPA's rule: "Amendments to the National Pollutant Discharge Elimination System (NPDES) Regulations for Storm Water Discharges Associated With Oil and Gas Exploration, Production, Processing, or Treatment Operations or Transmission Facilities." 71 Fed. Reg. 33,628 (codified at 40 C.F.R. § 122.26(a)(2)(ii)). We settled on \$117,125 in attorneys' fees, which was added to the \$628.70 in statutory costs that the Court had awarded to plaintiffs.	\$117,125.00
4/2/2009	SA	Idaho Conservation League v. EPA; NOI received 7/7/2008.	Idaho Conservation League	CWA	EPA agreed to take action regarding revisions to Idaho WQ criteria for arsenic and cadmium by date certain and not to take action on Idaho site-specific criteria until taking action on 2006 HH criteria, and to take action on those criteria by August 2011 (subsequently extended to January 2, 2012). (A suit was then filed 1/3/12.)	\$9,000.00
12/21/2009	CD	Linda Young, et al. v. EPA; 04:09 cv 27; ND FL	Linda Young; Florida Clean Water Network, Inc.	CWA	EPA agreed to review and approve or disapprove Florida's submitted 303(d) list for Group 3 by April 30, 2010 and for Group 4 by December 31, 2010.	\$13,634.50
12/30/2009	CD	Florida Wildlife Federation, et al. v. EPA; 4:08 cv 00324; ND FL	Florida Wildlife Federation, Sierra Club, Conservancy of Southwest Florida, Environmental Confederation of Southwest Florida, St. Johns Riverkeeper	CWA	EPA agreed to deadlines in consent decree for proposing and taking final agency action on numeric nutrient criteria for Florida waters.	\$198,997.00
3/10/2010	SA	Center for Biological Diversity v. EPA; 2:09 cv 670; WD WA	Center for Biological Diversity	CWA	EPA agreed to (1) send letter to WA State December 1, 2009, encouraging submittal of April 2010 303(d) list with ocean acidification (OA) data; (2) sign FR notice requesting comments on OA under 303(d) program by March 15, 2010; and (3) complete a memorandum that describes how EPA intends to proceed with 303(d) program in light of comments from FRN by November 15, 2010. Parties agree that completion of memo will not constitute final agency action.	\$18,000.00
3/12/2010	SA	Weisberg, Richard v. EPA; 309 CV 329; D CT	Weisberg, Richard	CWA	EPA agreed to send letter to Connecticut with comments regarding the State's triennial review of its CWA WQS. Plaintiff dismissed complaint.	\$1,178.55

Water - Settlement Agreements and Consent Decrees
10/1/2005 through 10/13/2011

Date SA/CD Entry	SA or CD?	Case Information	Plaintiffs/Petitioners	Statute	Summary of SA/CD	Fees & Costs Paid
3/19/2010	SA	National Parks Conservation Association v. Kempthorne, et al.; 1:09-cv-00115; D DC	National Parks Conservation Association	CWA	The settlement does not require any action by EPA. The agreement provides a schedule for OSM to propose an amendment to -- or a replacement for -- the 2008 Stream Buffer Zone (SBZ) Rule. The U.S. government paid fees but not on behalf of EPA.	\$0.00
3/19/2010	SA	Coal River Mountain Watch, et al. v. Kempthorne, et al.; 1:08-cv-02212; D DC	Coal River Mountain Watch; Kentucky Waterways Alliance; Ohio Valley Environmental Coalition; Sierra Club; Waterkeeper Alliance; West Virginia Highlands Conservancy	CWA	Same agreement as 1:09-cv-00115.	\$0.00
4/12/2010	SA	Conservation Law Foundation v. EPA; 2:08-CV-238; D VT	Conservation Law Foundation	CWA	SA whereby EPA agreed to take voluntary remand of TMDL, decide within 120 days whether to disapprove, and then, once EPA made its final determination, CLF would move for voluntary dismissal.	\$38,826.62
5/10/2010	SA	Chesapeake Bay Foundation, et al. v. EPA; 1:09-cv-00005; D DC	C. Bernard Fowler; Harry R. Hughes; W. Tayloe Murphy, Jr.; Anthony Williams; Chesapeake Bay Foundation; Maryland Saltwater Sportsfisherman's Assoc.; Maryland Waterman's Assoc., Inc.; Virginia Waterman's Assoc.	CWA	EPA agreed to establish CBay TMDL by December 2010; propose NPDES stormwater and CAFO rules; and take a variety of other actions to protect and restore the Bay.	\$0.00
5/25/2010	SA	Natural Resources Defense Council, et al. v. EPA; 08-75023 (9th Cir.); 09-60519 (5th Cir.)	Natural Resources Defense Council; Sierra Club; Waterkeeper Alliance	CWA	In settlement with NRDC, Sierra Club and Waterkeeper Alliance, EPA committed to issue guidance regarding "duty to apply" for a permit and propose and take final action on an information collection rule under CWA section 308.	\$95,000.00
6/7/2010	SA,CD	Northwest Environmental Defense Center, et al. v. EPA; CV 07-1396; D OR	Northwest Environmental Defense Center; Northwest Environmental Advocates; Columbia Riverkeeper; Willamette Riverkeeper	CWA	In CD, EPA agreed to initiate ESA consultation, if necessary, re: approval of resubmitted OR compliance schedule authorizing provision. In companion SA, EPA agreed to take certain actions to strengthen and review OR's issuance of compliance schedules in NPDES permits. SA signed 6/4/10; CD entered 6/7/10.	\$40,000.00
6/15/2010	SA	National Cotton Council, et al. v. EPA; 06-4630; 6th Cir.	National Cotton Council; Environment Maine; Waterkeeper Alliance; BASF Corp.; Syngenta Corp.; Delta Council; Illinois Fert. & Chem. Ass'n; Agribusiness Ass'n of Iowa; Baykeeper; Southern Crop Prod. Ass'n; CropLife America	CWA	Environmental Petitioners' petitions GRANTED in part and DENIED in part; Industry Petitioners' petitions DENIED in whole; Final Rule VACATED. Fees paid to Baykeeper.	\$500,000.00
7/2/2010	SA	Environmental Geo-Technologies, LLC, et al. v. EPA; 10-12641; ED Mich	Environmental Geo-Technologies, LLC; Police and Fire Retirement System of the City of Detroit; RDD Investment Corp.; RDD Operations LLC	SDWA	Both EPA and MDNR agreed to set up a timeline to make a final permit decision on a UIC Class I hazardous site. Negotiations still underway concerning attorneys fees.	n/a
7/12/2010	SA	Wild Fish Conservancy, Inc. v. EPA; 3:08-cv-05585; WD WA	Wild Fish Conservancy, Inc.	CWA	EPA extended NPDES permit coverage to the Quilcene National Fish Hatchery.	\$90,000.00

Water - Settlement Agreements and Consent Decrees
10/1/2005 through 10/13/2011

Date SA/CD Entry	SA or CD?	Case Information	Plaintiffs/Petitioners	Statute	Summary of SA/CD	Fees & Costs Paid
9/27/2010	SA	Northwest Environmental Advocates v. EPA; 09-cv-0017; D OR	Northwest Environmental Advocates	CWA	EPA agrees to propose and take final action to approve or disapprove Oregon CZARA program by May 15, 2014. EPA shared payment of fees with NOAA.	\$83,500.00
11/8/2010	CD	Defenders of Wildlife, et al. v. Jackson; 10-cv-01915; D DC	Defenders of Wildlife; Sierra Club	CWA	Decree includes a schedule for rulemaking governing revisions of the Steam Electric ELG. EPA also agreed to pay \$40,000 in "costs, attorneys' fees and expenses." Parties filed Signed Consent Decree with Court on 11/8/10, but as of 2/1/12, we are still waiting for Court to enter Decree.	\$40,000.00
11/22/2010	SA	Cronin, et al. v. Reilly; 93 CV 314; SD NY; Riverkeeper, Inc., et al. v. EPA, 06 CV 12987; SD NY	Alex Matthiessen, a/k/a the Hudson Riverkeeper; American Littoral Society; Andrew Willner, a/k/a The New York/New Jersey Baykeeper; John Torgan, a/k/a The Narragansett BayKeeper; Joseph E. Payne, a/k/a The Casco BayKeeper; Leo O'Brien, a/k/a The San Francisco BayKeeper; Long Island Soundkeeper Fund, Inc.; Maya K. Van Rossum, a/k/a the Delaware Riverkeeper; New York Coastal Fishermen's Association, Inc.; Steven E. Fleischli, a/k/a The Santa Monica BayKeeper; Sue Joerger, a/k/a The Puget Soundkeeper; Terrance E. Backer, a/k/a the Soundkeeper; Delaware Riverkeeper Network; Friends of Casco Bay, Massachusetts Public Interest Research Group, Inc. Natural Resources Defense Council, Raritan Baykeeper, Inc. Save the Bay, Surfrider Foundation, Waterkeeper Alliance.	CWA	Signed settlement agreement Nov 22, 2010. EPA agreed to propose a rule concerning cooling water intake structures by March 2011; take final action by July 27, 2012. The settlement of fees was \$ 210,854.00 in case no. 93-cv-0314 and \$ 95,500.00 in case no. 06-cv-12987.	\$306,354.00
12/2/2010	SA	Anacostia Riverkeeper, Inc., et al. v. EPA; 1:09-cv-00098; D DC	Anacostia Riverkeeper, Inc., Friends of the Earth; Potomac Riverkeeper, Inc.	CWA	1. On May 25, 2010, Court order stays vacatur (variously until 2011, 2014, and 2017) of 300+ non-daily load TMDLs for DC waters. TMDLs had been held unlawful by DC Circuit in 2006 for failure to contain "daily loads." 2. On 12/2/10, EPA signed settlement agreement to pay \$27,660.55.	\$27,660.55
12/20/2010	SA	Alfred J. Davis, et al. v. EPA; 8:09-cv-01070; MD FL	Alfred J. Davis and Cynthia F. Davis	CWA	EPA agreed: (1) when reviewing Florida's next CWA section 303(d) list (which FDEP is expected to submit in 2012), EPA will consider Florida's antidegradation requirements and all existing and readily available water quality-related data and information and (2) if EPA disapproves Florida's next section 303(d) list for failure to appropriately assess and identify waters that are not attaining Florida's antidegradation requirements, EPA will identify (add) those waters on Florida's list.	\$49,929.00

Water - Settlement Agreements and Consent Decrees
10/1/2005 through 10/13/2011

Date SA/CD Entry	SA or CD?	Case Information	Plaintiffs/Petitioners	Statute	Summary of SA/CD	Fees & Costs Paid
3/3/2011	SA	Idaho Conservation League v. EPA; 10-cv-207; D ID	Idaho Conservation League	CWA	In the Settlement Agreement, Plaintiffs agreed to dismiss their claims with prejudice and EPA agreed to produce certain documents and pay \$18,000 in litigation costs. Upon a joint motion by the parties, the Court dismissed the case with prejudice on 4/4/11.	\$18,000.00
3/8/2011	SA	Natural Resources Defense Council, et al. v. EPA; 09-1089, 09-1131, 09-1135, 09-1162, 09-1163 (consolidated); DC Cir.	Center for Biological Diversity; League of Ohio Sportsmen; Michigan; Minnesota Conservation Federation; National Wildlife Federation; Natural Resources Defense Council; Northwest Environmental Advocates; Ohio Environmental Council; People for Puget Sound	CWA	Key obligations include: <ul style="list-style-type: none"> * Propose the next draft Vessel General Permit (VGP) by November 30, 2011 and take final action by November 30, 2012; * Commence ESA consultation on the permit no later than 30 days after draft published; * Enhance Agency's process for obtaining state CWA §401 certifications in specified ways; * Include certain types of conditions in the next draft VGP, including numeric concentration-based effluent limits for ballast water discharges, monitoring requirements for ballast water treatment systems, a four-year permit term, and a specified reopener provision; * Explain in the administrative record certain decisions made for next draft VGP; * Make "best efforts" to ensure that that the National Academy of Sciences ("NAS") and EPA Science Advisory Board ("SAB") complete planned studies by May 31, 2011, share those studies with the petitioners, and hold a series of meetings with Petitioners after completion of those studies. 	\$131,922.00



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

FEB 17 2012

OFFICE OF CONGRESSIONAL AND
INTERGOVERNMENTAL RELATIONS

The Honorable Fred Upton
Chairman
Committee on Energy and Commerce
U.S. House of Representatives
Washington, D.C. 20510

Dear Mr. Chairman:

I am writing in response to your letter of October 26, 2011, which requested information about environmental litigation against the U.S. Environmental Protection Agency and the Agency's practices with regard to the settlement of such litigation. The EPA provided its first response to this request on January 17, 2011.

I am enclosing the second installment of information responsive to your request. This installment provides information relating to lawsuits against the EPA under the Clean Water Act (CWA) and the Safe Drinking Water Act (SDWA), as well as suits brought under the Administrative Procedure Act where the Agency action challenged was under the CWA or the SDWA. This information reflects available data from the Agency's databases and files.

The EPA expects to provide information relating to lawsuits against the EPA under the Clean Air Act by the end of the month.

Thank you for your letter. If you have questions, please contact me or have your staff contact Tom Dickerson on my staff at (202) 564-3638.

Sincerely,

A handwritten signature in black ink, appearing to read "Arvin Ganesan", is written over a horizontal line.

Arvin Ganesan
Associate Administrator

cc: The Honorable Henry A. Waxman
Ranking Member

Enclosures

Water Suits filed from 10/1/2005 through 10/13/2011

Date Opened	Case Information	Plaintiffs/Petitioners	Statute	Outcome/Disposition	Date Decision Issued or Case Settled	Fees & Costs Paid
11/17/2005	Natural Resources Defense Council, et al. v. EPA; 1:05 CV 02243; D DC	Natural Resources Defense Council; Bay Area Physicians for Social Responsibility	SDWA	Dismissed following settlement.	12/15/2005	\$32,734.00
12/13/2005	Northwest Environmental Advocates v. EPA; 05 CV 1876; D OR	Northwest Environmental Advocates	CWA	Case pending.	n/a	n/a
1/19/2006	Miami-Dade County, et al. v. EPA; 06 CV 10551-A; 11th Cir.	Miami-Dade County; Palm Beach County; City of Miramar; City of Cooper; City of Ft. Lauderdale; City of Sunrise; Sierra Club; City of Margate	SDWA	Partly decided in EPA's favor. Partly dismissed following settlement.	6/6/2008	\$0.00
2/20/2006	City of Portland v. EPA; 06-1068; DC Cir.	City of Portland	SDWA	Decided in EPA's favor.	11/6/2007	\$0.00
4/7/2006	Northwest Environmental Advocates v. EPA; 06 CV 479; D OR	Northwest Environmental Advocates	CWA	Held in abeyance following settlement.	5/29/2008	\$60,000.00
4/26/2006	Kentucky Waterways Alliance, et al. v. EPA; 06-5614; 6th Cir.	Floyds Fork Environmental Association; Kentuckians for the Commonwealth; Kentucky Waterways Alliance; Kerry Thomas; Sierra Club Cumberland Chapter	CWA	Decided partly in EPA's favor and partly in Petitioners' favor.	9/3/2008	\$147,638.15
5/3/2006	Pennaco Energy Inc, et al. v. EPA; 06 CV 229-B; D WY	Devon Energy Corporation; Marathon Oil Company; Pennaco Energy Inc; Nance Petroleum Corporation; Yates Petroleum Corp.	CWA	Decided in Plaintiff's favor.	10/13/2009	\$0.00
5/18/2006	Town of Scituate v. EPA; 06-1817; 1st Cir.	Town of Scituate	CWA	Petition withdrawn.	n/a	\$0.00
5/30/2006	National Wildlife Federation, et al. v. EPA; 06-12423; ED MI	National Wildlife Federation; Lone Tree Council	CWA	Dismissed following settlement.	11/30/2007	\$27,273.00
6/7/2006	California Native Plant Society, et al. v. EPA, et al.; 06-3604; ND CA	Butte Environmental Council; California Native Plant Society; Defenders of Wildlife	CWA	Case pending.	n/a	n/a

Water Suits filed from 10/1/2005 through 10/13/2011

Date Opened	Case Information	Plaintiffs/Petitioners	Statute	Outcome/Disposition	Date Decision Issued or Case Settled	Fees & Costs Paid
6/23/2006	Natural Resources Defense Council v. EPA; 06-73217; 9th Cir.	Natural Resources Defense Council	CWA	Decided in Petitioner's favor.	5/23/2008	\$117,125.00
7/13/2006	St. Johns Riverkeeper, et al. v. EPA; 4:06 cv 332; ND FL	St. Johns Riverkeeper; Linda Young	CWA	Dismissed.	2/25/2008	\$0.00
7/18/2006	Alliance to Save the Mattaponi v. EPA; 06 CV 1268; D DC	Alliance to Save the Mattaponi	CWA	Decided in Plaintiffs' favor. Petition for attorney's fees pending.	3/31/2009	n/a
8/2/2006	Natural Resources Defense Council, et al. v. EPA; CV 06-4843; CD CA	Natural Resources Defense Council; LA Flood Control District; Nat'l Assoc. of Clean Water Agencies	CWA	Decided partly in Plaintiffs' favor. Held in abeyance following settlement.	9/4/2008	\$794,000.00
8/10/2006	Thomas, et al. v. EPA; 1:06-cv-00115; ND IA	James Thomas; Kerry Thomas; Nancy Norlin; Sierra Club	CWA	Decided in EPA's favor.	3/20/2008	\$0.00
8/23/2006	Ecological Rights Foundation, et al. v. EPA; C 06 5159SC; ND CA	Baykeeper; Ecological Rights Foundation; Communities for a Better Environment	CWA	Dismissed following settlement.	6/20/2007	\$125,000.00
9/11/2006	State of Wyoming v. EPA; 06 CV 228-B; D WY	State of Wyoming	CWA	Decided in Plaintiff's favor.	10/13/2009	\$0.00
9/11/2006	Anadarko Petroleum Corp. v. EPA; 06CV-235; D WY	Anadarko Petroleum Corp.	CWA	Decided in Plaintiffs' favor.	10/13/2006	\$0.00
9/13/2006	Baykeeper, et al. v. EPA; C 06-5811; ND CA	Baykeeper; Communities for a Better Environment; Ecological Rights Foundation; Humboldt Baykeeper	CWA	Dismissed.	6/22/2007	\$0.00
11/7/2006	Riverkeeper, Inc., et al. v. EPA; 06-CV-12987; SD NY	American Littoral Society; Delaware Riverkeeper Network; Friends of Casco Bay; Natural Resources Defense Council; Riverkeeper, Inc.; Raritan Baykeeper Inc.; Santa Monica Baykeeper; Save the Bay; Soundkeeper Inc.; Surfrider Foundation; Waterkeeper Alliance; Massachusetts Public Interest Research Group	CWA	Dismissed following settlement.	11/22/2010	\$95,500.00

Water Suits filed from 10/1/2005 through 10/13/2011

Date Opened	Case Information	Plaintiffs/Petitioners	Statute	Outcome/Disposition	Date Decision Issued or Case Settled	Fees & Costs Paid
11/20/2006	Citizens Legal Enforcement and Restoration v. EPA; 06 CV 2545; SD CA	Citizens Legal Enforcement and Restoration	CWA	Dismissed.	3/27/2007	\$0.00
12/14/2006	National Cotton Council, et al. v. EPA; 06-4630; 6th Cir.	National Cotton Council; Environment Maine; Waterkeeper Alliance; BASF Corp.; Syngenta Corp.; Delta Council; Illinois Fert. & Chem. Ass'n; Agribusiness Ass'n of Iowa; Baykeeper; Southern Crop Prod. Ass'n; CropLife America	CWA	Decided partly in EPA's favor and partly in Petitioners' favor.	1/7/2009	\$500,000.00
3/13/2007	Ohio Valley Environmental Coalition, et al. v. EPA; 3:07-0160; S.D.W.Va	Ohio Valley Environmental Coalition; West Virginia Highlands Conservancy, Inc.	CWA	Dismissed following settlement.	8/20/2007	\$2,805.00
4/17/2007	Central Savannah River Area TMDL Group v. EPA; 1:07 cv 61; SD GA	Central Savannah River Area TMDL Group	CWA	Voluntary dismissal by Plaintiffs.	9/10/2007	\$0.00
5/2/2007	Delaware County Safe Drinking Water Coalition, Inc. v. Kathleen McGinty et al.; 07-1782; ED PA	Delaware County Safe Drinking Water Coalition, Inc.	CWA	Dismissed.	12/29/2008	\$0.00
5/8/2007	Friends of the Earth v. EPA; 07-cv-000872; D DC	Friends of the Earth	CWA	Dismissed following settlement.	1/22/2008	\$18,000.00
6/1/2007	Coalition of Watershed Towns v. EPA; 07-2449; 2nd Cir.	Coalition of Watershed Towns	SDWA	Dismissed.	12/29/2008	\$0.00
6/15/2007	Cook Inletkeeper, et al. v. EPA; 07-2420; 9th Cir.	Cook Inletkeeper; Cook Inlet Fishermen's Fund; Native Village of Nanwalek; Native Village of Port Graham; United Cook Inlet Drift Association	CWA	Partial voluntary remand, partially decided in favor of EPA.	10/21/2010	\$0.00
7/3/2007	Union Oil Company of California v. EPA; 07-72656; 9th Cir.	Union Oil Company of California	CWA	Dismissed following settlement.	8/21/2008	\$0.00
7/27/2007	Klamath Riverkeeper v. EPA; 3:07 cv 3908; ND CA	Klamath Riverkeeper	CWA	Dismissed following settlement.	7/9/2008	\$65,459.20

Water Suits filed from 10/1/2005 through 10/13/2011

Date Opened	Case Information	Plaintiffs/Petitioners	Statute	Outcome/Disposition	Date Decision Issued or Case Settled	Fees & Costs Paid
9/20/2007	Northwest Environmental Defense Center, et al. v. EPA; CV 07-1396; D OR	Northwest Environmental Defense Center; Northwest Environmental Advocates; Columbia Riverkeeper; Willamette Riverkeeper	CWA	Dismissed following settlement.	6/7/2010	\$40,000.00
9/25/2007	American Farm Bureau Federation, et al. v. EPA; 07-60620; 5th Cir.	American Farm Bureau Federation; National Pork Producers Council	CWA	Dismissed.	2/26/2009	\$0.00
1/15/2008	LeBlanc v. EPA; 08-3049; 6th Cir.	LeBlanc	SDWA	Decided in EPA's favor.	2/12/2009	\$0.00
1/30/2008	Wild Fish Conservancy, Inc. v. EPA; 08-CV-00158; WD WA	Wild Fish Conservancy, Inc.	CWA	Decided in Plaintiff's favor.	4/28/2010	\$0.00
4/28/2008	Sackett v. EPA; CV-08-0185; D ID	Sackett, Chantell; Sackett, Michael	CWA	Decided in EPA's favor (8/7/2008). Appealed to 9th Circuit and affirmed (9/17/2010). Supreme Court granted cert., pending.	8/7/2008	\$0.00
5/30/2008	PPG v. EPA; 2:08 cv 766; WD LA	PPG	CWA	Case pending.	n/a	n/a
6/20/2008	Catskill Mountains Chapter of Trout Unlimited, et al. v. EPA; 08 CV 5606; consolidated with 08 CV 8430; SD NY	Catskill Mountains Chapter of Trout Unlimited, Inc.; Theodore Gordon Flyfishers, Inc.; Catskill-Delaware Natural Water Alliance, Inc.; Federated Sportsmen's Clubs of Ulster County, Inc.; Riverkeeper, Inc.; Waterkeeper Alliance, Inc.; Trout Unlimited, Inc.; National Wildlife Federation; Environment America; Environment New Hampshire; Environment Rhode Island; Environment Florida; New York; Connecticut; Delaware; Illinois; Maine; Michigan; Minnesota; Missouri; Washington; Government of the Province of Manitoba, Canada	CWA	Case pending.	n/a	n/a

Water Suits filed from 10/1/2005 through 10/13/2011

Date Opened	Case Information	Plaintiffs/Petitioners	Statute	Outcome/Disposition	Date Decision Issued or Case Settled	Fees & Costs Paid
8/27/2008	Friends of the Everglades, et al. v. EPA; 08-13652-CC; consolidated with 08-13653-CC, 08-13657-CC, 08-14921-CC, and 08-16283-CC; 11th Cir.	Friends of the Everglades; Miccosukee Tribe of Indians of Florida; Florida Wildlife Federation, Inc.; Sierra Club; Environmental Confederation of Southwest Florida; New York; Connecticut; Delaware; Illinois; Maine; Michigan; Minnesota; Missouri; Washington; and the Government of the Province of Manitoba, Canada.	CWA	Case pending.	n/a	n/a
7/15/2008	D.C. Water and Sewer Authority (WASA) v. EPA; 08-1251; DC Cir.	D.C. Water and Sewer Authority (WASA)	CWA	Dismissed.	12/12/2008	\$0.00
7/17/2008	Florida Wildlife Federation v. EPA; 4:08 cv 00324; ND FL	Florida Wildlife Federation, Sierra Club, Conservancy of Southwest Florida, Environmental Confederation of Southwest Florida, St. Johns Riverkeeper	CWA	Held in abeyance following settlement.	12/30/2009	\$198,997.00
8/12/2008	City of Keene v. EPA; 08-2020; 1st Cir.	City of Keene	CWA	Dismissed.	12/22/2008	\$0.00
8/13/2008	Service Oil Co. v. EPA; 08-2819; 8th Cir.	Service Oil Co.	CWA	Decided in Plaintiffs favor.	12/28/2009	\$0.00
9/15/2008	Friends of the Everglades, et al. v. United States of America, et al.; 08-21785-CIV; SD FL	Friends of the Everglades; Miccosukee Tribe of Indians of Florida; Rivers Coalition Defense Fund; Florida Wildlife Federation	CWA	Case pending.	n/a	n/a
9/29/2008	Wild Fish Conservancy, Inc. v. Quilcene National Fish Hatchery, et al.; 3:08-cv-05585; WD WA	Wild Fish Conservancy, Inc.	CWA	Dismissed following settlement.	7/12/2010	\$90,000.00
10/8/2008	City and County of Honolulu v. EPA; 08-00404; D HI	City and County of Honolulu	CWA	Decided in EPA's favor.	3/27/2009	\$0.00
10/24/2008	Dee Thomas Murphy v. EPA; C 08 4876; ND CA	Dee Thomas Murphy	CWA	Dismissed.	2/2/2009	\$0.00

Water Suits filed from 10/1/2005 through 10/13/2011

Date Opened	Case Information	Plaintiffs/Petitioners	Statute	Outcome/Disposition	Date Decision Issued or Case Settled	Fees & Costs Paid
10/28/2008	Conservation Law Foundation v. EPA; 2:08-CV-238; D VT	Conservation Law Foundation	CWA	Dismissed following settlement.	2/4/2011	\$38,826.62
11/26/2008	Akiak Native Community, et al. v. EPA; 08-74872; 9th Cir.	Akiak Native Community; Nunamta Aulukestai; Nondalton Tribal Council; Curyung Tribal Council; Cook Inletkeeper; Alaska Center for the Environment; Alaska Community Action on Toxics; Center for Biological Diversity; The Center for Water Advocacy	CWA	Decided in EPA's favor.	11/4/2010	\$0.00
12/10/2008	Natural Resources Defense Council, et al. v. EPA; 08-75023 (9th Cir.); 09-60510 (5th Cir.)	Natural Resources Defense Council; Sierra Club; Waterkeeper Alliance	CWA	Dismissed following settlement.	5/25/2010	\$95,000.00
12/10/2008	National Pork Producers Council, et al. v. EPA; 08-61093; 5th Cir.	National Pork Producers Council; American Farm Bureau Federation	CWA	Decided partly in EPA's favor and partly in Petitioners' favor.	3/15/2011	\$0.00
12/12/2008	Arthur West v. Stephen L. Johnson, et al.; C08-5741; WD WA	Arthur S. West	CWA	Decided in EPA's favor.	12/7/2010	\$0.00
12/22/2008	Coal River Mountain Watch, et al. v. Kempthorne, et al.; 1:08-cv-02212; D DC	Coal River Mountain Watch; Kentucky Waterways Alliance; Ohio Valley Environmental Coalition; Sierra Club; Waterkeeper Alliance; West Virginia Highlands Conservancy; Save our Cumberland Mountains, Southern Appalachian Mountain Stewards.	CWA	Held in abeyance following settlement.	3/19/2010	\$0.00
1/5/2009	Lake Carriers Ass'n. v. EPA; 09-1001; DC Cir.; (including following consolidated cases: 09-1076; 09-1115)	Lake Carriers Ass'n; American Waterways Operators; Canadian Shipowners Ass'n	CWA	Decided in EPA's favor	7/22/11	\$0.00

Water Suits filed from 10/1/2005 through 10/13/2011

Date Opened	Case Information	Plaintiffs/Petitioners	Statute	Outcome/Disposition	Date Decision Issued or Case Settled	Fees & Costs Paid
1/5/2009	Chesapeake Bay Foundation, et al. v. EPA; 1:09-cv-00005; D DC	C. Bernard Fowler; Harry R. Hughes; W. Tayloe Murphy, Jr.; Anthony Williams; Chesapeake Bay Foundation; Maryland Saltwater Sportfisherman's Assoc.; Maryland Waterman's Assoc., Inc.; Virginia Waterman's Assoc.	CWA	Dismissed following settlement.	5/10/2010	\$0.00
1/7/2009	St. Mary's Railway West, LLC, et al. v. EPA; 5:08 cv 100; SD GA	St. Mary's Railway West, LLC; Claudius Strickland	CWA	Dismissed.	4/14/2009	\$0.00
1/9/2009	Northwest Environmental Advocates v. EPA; 09-0017; D OR	Northwest Environmental Advocates	CWA	Dismissed following settlement.	9/27/2010	\$83,500.00
1/12/2009	Natural Resources Defense Council, et al. v. EPA; 09-1089, 09-1131, 09-1135, 09-1182, 09-1183 (consolidated); DC Cir.	Center for Biological Diversity; League of Ohio Sportsmen; Michigan; Minnesota Conservation Federation; National Wildlife Federation; Natural Resources Defense Council; Northwest Environmental Advocates; Ohio Environmental Council; People for Puget Sound	CWA	Held in abeyance following settlement.	3/8/2011	\$131,922.00
1/15/2009	Anacostia Riverkeeper, Inc., et al. v. EPA; 1:09-cv-00097; D DC	Anacostia Riverkeeper, Inc.; Friends of the Earth	CWA	Decided partly in EPA's favor and partly in Plaintiffs' favor.	7/25/2011	\$18,321.00
1/15/2009	Anacostia Riverkeeper, Inc., et al. v. EPA; 1:09-cv-00098; D DC	Anacostia Riverkeeper, Inc.; Friends of the Earth; Potomac Riverkeeper, Inc.	CWA	Decided in Plaintiffs' favor.	5/25/2010	\$27,660.55
1/16/2009	National Parks Conservation Association v. Kempthorne, et al.; 1:09-cv-00115; D DC	National Parks Conservation Association	CWA	Held in abeyance following settlement.	3/19/2010	\$0.00
2/26/2009	Weisberg, Richard v. EPA; 309 CV 329; D CT	Weisberg, Richard	CWA	Dismissed following settlement.	3/12/2010	\$1,178.55

Water Suits filed from 10/1/2005 through 10/13/2011

Date Opened	Case Information	Plaintiffs/Petitioners	Statute	Outcome/Disposition	Date Decision Issued or Case Settled	Fees & Costs Paid
3/1/2009	South Carolina Coastal Conservation League v. ACOE; 2:09-cv-00741; D SC	South Carolina Coastal Conservation League	CWA	Court granted voluntary remand.	9/1/2009	\$50,000.00
3/9/2009	Florida Wildlife Federation, et al. v. EPA; 04-09-cv-00089; ND FL	Environmental Confederation of Southwest Florida; Florida Wildlife Federation; Save Our Creeks	CWA	Dismissed by plaintiffs.	10/12/2011	\$0.00
3/11/2009	National Association of Home Builders v. EPA; 09-0548; D DC	National Association of Home Builders	CWA	Decided in EPA's favor.	12/9/2011	\$0.00
4/8/2009	Linda Young, et al. v. EPA; 04:09 cvl 27; ND FL	Linda Young; Florida Clean Water Network, Inc.	CWA	Dismissed following settlement.	12/21/2009	\$13,634.50
5/5/2009	Florida Clean Water Network, Inc., et al. v. EPA; 4:09-cv-00165; ND FL	Florida Clean Water Network, Inc.; Conservancy of Southwest Florida; St. John's Riverkeeper; Linda Young	CWA	Case pending.	n/a	n/a
5/14/2009	Center for Biological Diversity v. EPA; 2:09 cv 670; W.D. Wash.	Center for Biological Diversity	CWA	Dismissed following settlement.	5/10/2010	\$18,000.00
5/26/2009	Michael Mitchell v. EPA; 09-CV-01205; D CO	Michael Mitchell	SDWA	Stipulated dismissal by plaintiff.	8/21/2009	\$0.00
6/8/2009	Alfred J. Davis, et al. v. EPA; 8:09-cv-01070; MD FL	Alfred J. Davis and Cynthia F. Davis	CWA	Dismissed following settlement.	12/20/2010	\$49,929.00
6/29/2009	City of Pittsfield, Massachusetts v. EPA; 09-1879; 1st Cir.	City of Pittsfield, Massachusetts	CWA	Decided in EPA's favor.	7/16/2010	\$0.00
8/11/2009	Board of Mississippi Levee Commissioners v. EPA; 4:09-cv-00081; ND MS	Board of Mississippi Levee Commissioners	CWA	Decided in EPA's favor. Appealed to the 5th Circuit.	3/28/2011	\$0.00
10/21/2009	Historic Green Springs, Inc., et al. v. EPA; 3:09-cv-00075; WD VA	Historic Green Springs, Inc.; Reginald Murphy; Jane Stewart Murphy; Sergio Sobral; Gail Fleury Sobral	CWA	Decided in EPA's favor.	9/29/2010	\$0.00

Water Suits filed from 10/1/2005 through 10/13/2011

Date Opened	Case Information	Plaintiffs/Petitioners	Statute	Outcome/Disposition	Date Decision Issued or Case Settled	Fees & Costs Paid
11/4/2009	Friends of the Everglades, et al. v. EPA; 1:04-civ-21448; SD FL	Friends of the Everglades; Miccosukee Tribe of Indians	CWA	Case pending.	n/a	n/a
11/4/2009	Florida Water Environment Association Utility Council, et al. v. EPA; 4:09 cv 428; 4:09 cv 438; ND FL	Florida Water Environment Association Utility Council; South Florida Water Management District; Florida Utility Group	CWA	Decided in EPA's favor.	9/30/2011	\$0.00
12/11/2009	Delaware Estuary TMDL Coalition, et al. v. EPA; 09-5972; ED PA	Delaware Estuary TMDL Coalition; Camden County Municipal Utilities Authority; Delaware County Regional Water Quality Control Authority; E.I. DuPont de Nemours and Co.; Excelon Generation Co.; Amtrak; Conectiv Atlantic Generation; Conectiv Delmarva Generation; Conectiv Bathleham; PSEG Power LLC; PSEG Nuclear LLC; PSEG Fossil LLC; Rohm and Haas Co.; Rohm & Haas Chemicals Inc.; Sunoco Inc.; Sunoco Inc. (R&M); Sunoco Chemicals Inc.; Valero Refining Co.	CWA	Case pending.	n/a	n/a
12/28/2009	Wisconsin Builders Association, et al. v. EPA; 09-1327; 7th Cir.	National Association of Home Builders; UWAG; Wisconsin Builders Association	CWA	Case pending.	n/a	n/a
2/25/2010	South Florida Water Management District, et al. v. EPA; 10-10888-E; 10-11121-E; 11th Cir.	South Florida Water Management District; Florida Water Environment Association Utility Council	CWA	Decided in EPA's favor.	8/2/2011	\$0.00
4/2/2010	Mingo Logan v. EPA; No. 1:10-CV-00541; D DC	Mingo Logan	CWA	Case pending.	n/a	n/a
4/19/2010	Idaho Conservation League v. EPA; 10-cv-207; D ID	Idaho Conservation League	CWA	Dismissed following settlement.	4/14/2011	\$18,000.00
4/20/2010	Sanders v. EPA; 7:10-cv-968; D SC	Launeil Sanders	CWA	Case pending.	n/a	n/a

Water Suits filed from 10/1/2005 through 10/13/2011

Date Opened	Case Information	Plaintiffs/Petitioners	Statute	Outcome/Disposition	Date Decision Issued or Case Settled	Fees & Costs Paid
4/27/2010	Estate of Edward J. Klockenkemper, et al. v. EPA;	Estate of Edward J. Klockenkemper; Rocky Well Service Inc.	SDWA	Case pending	n/a	n/a
5/5/2010	Deerfield Plantation Phase II-B Property Owners Association, Inc. v. Corps; 4:09cv-01023; D SC	Deerfield Plantation Phase II-B Property Owners Association, Inc.	CWA	Decided in EPA's favor.	7/12/2011	\$0.00
6/9/2010	Boyer, Inc. v. American Canoe Association, et al.; 1:10-cv-00967; D DC	Boyer, Inc.	CWA	Voluntarily dismissed.	9/15/2010	\$0.00
7/2/2010	Environmental Geo-Technologies, LLC, et al. v. EPA; 10-12641; ED MI	Environmental Geo-Technologies, LLC; Police and Fire Retirement System of the City of Detroit; RDD Investment Corp.; RDD Operations LLC	SDWA	Held in abeyance following settlement. Negotiations still underway concerning attorneys fees.	7/2/2010	n/a
7/20/2010	National Mining Association, et al. v. Lisa Jackson, et al.; 10-1220 (consolidated with 11-0295, 11-0446, and 11-0447); D DC	National Mining Association; Commonwealth of Kentucky, City of Pikeville, State of West Virginia, Kentucky Coal Association	CWA	Decision in Plaintiff's favor. Case still pending.	n/a	n/a
7/23/2010	Iowa League of Cities v. EPA; 10-2646; 8th Cir.	Iowa League of Cities	CWA	Dismissed.	11/6/2010	\$0.00
7/26/2010	The Patuxent Riverkeeper v. EPA; Corps; 8:10-cv-01834; D MD	The Patuxent Riverkeeper	CWA	Case pending.	n/a	n/a

Water Suits filed from 10/1/2005 through 10/13/2011

Date Opened	Case Information	Plaintiffs/Petitioners	Statute	Outcome/Disposition	Date Decision Issued or Case Settled	Fees & Costs Paid
8/4/2010	Missouri Coalition for the Environment Foundation v. EPA; 2:10-cv-04189; WD MO	Missouri Coalition for the Environment Foundation	CWA	Case pending.	n/a	n/a
8/20/2010	City and County of Honolulu v. EPA; 10-72575; 9th Cir.	City and County of Honolulu	CWA	Case voluntarily dismissed by Plaintiff.	2/24/2011	\$0.00
9/10/2010	Kentucky Waterways Alliance, et al. v. EPA; 3:10-cv-588-H; WD KY	Kentucky Waterways Alliance; Kentuckians for the Commonwealth; Sierra Club Cumberland Chapter	CWA	Case dismissed.	12/3/2010	\$0.00
9/27/2010	Conservation Law Foundation v. EPA; 10-2141; 1st Cir.	Conservation Law Foundation	CWA	Decided in EPA's favor.	12/6/2010	\$0.00
11/8/2010	Defenders of Wildlife, et al. v. Jackson; 10-cv-01915; D DC	Defenders of Wildlife; Sierra Club	CWA	Case pending following filing of consent decree.	11/8/2010	\$40,000.00
11/12/2010	Hayden Area Regional Sewer Board, City of Post Falls v. EPA; 1:10-cv-00362; D ID	Hayden Area Regional Sewer Board, City of Post Falls	CWA	Case pending.	n/a	n/a
11/15/2010	Florida Wildlife Federation, et al. v. EPA; Case No. 4:10-cv-00511; ND FL	Florida Wildlife Federation; Gulf Restoration Network; Natural Resources Defense Council; State of Florida Department of Agriculture and Consumer Services; CF Industries; The Mosaic Company; Florida Pulp and Paper Association	CWA	Case pending.	n/a	n/a
12/15/2010	South Florida Water Management District v. EPA; No. 10-15738; 11th Cir.	South Florida Water Management District	CWA	Decided in EPA's favor.	7/13/2011	\$0.00
1/10/2011	American Farm Bureau Federation, et al. v. EPA; 1:11-cv-00087; MD PA	American Farm Bureau Federation; National Chicken Council; National Pork Producers Council; Pennsylvania Farm Bureau; Fertilizer Institute; National Corn Growers Association; U.S. Poultry & Egg Association; National Turkey Federation; National Home Builders Association	CWA	Case pending.	n/a	n/a
1/21/2011	Range Resources Corporation, et al. v. EPA; 11-60040; 5th Cir.	Range Resources Corporation; Range Production Co.	SDWA	Case pending.	n/a	n/a

Water Suits filed from 10/1/2005 through 10/13/2011

Date Opened	Case Information	Plaintiffs/Petitioners	Statute	Outcome/Disposition	Date Decision Issued or Case Settled	Fees & Costs Paid
1/28/2011	Sanders v. EPA; 6:11cv-00231; D SC	Sanders	CWA	Decided in EPA's favor.	2/22/2011	\$0.00
3/4/2011	Conservation Law Foundation, et al. v. EPA; 1:10-cv-1455; D MA	Conservation Law Foundation; Coalition for Buzzards Bay	CWA	Case pending.	n/a	n/a
3/10/2011	Midnight Pass Society Inc., et al. v. EPA; 8:11-cv-507; MD FL	Midnight Pass Society; Turtles Inc.; Turtle Beach Marina, LLC; Ophelia's Restaurant; Vince Plodzien; Randy Cornell; Steve Brannan; Arthur Singleton	CWA	Dismissed.	8/10/2011	\$0.00
4/13/2011	Barnum Timber Co. v. EPA; 3:08cv1988; ND CA	Barnum Timber Co.	CWA	Decided partly in EPA's favor and partly in Plaintiff's favor. Plaintiff has appealed to 9th Cir.	12/18/2011	\$0.00
4/19/2011	Native Village of Point Hope v. EPA; 2:11-cv-00867; D AK	Native Village of Point Hope, Alaska Community Action on Toxics, and Northern Alaska Environmental Center	CWA	Case pending.	n/a	n/a
4/29/2011	Upper Blackstone Water Pollution Abatement District, et al. v. EPA; 11-1474; 1st Cir.	Upper Blackstone Water Pollution Abatement District; Conservation Law Federation	CWA	Case pending.	n/a	n/a
5/20/2011	Vermont Department of Public Service, et al. v. NRC; 11-1168; 11-1177; DC Cir.	Vermont Department of Public Service, New England Coalition	CWA	Case pending.	n/a	n/a
5/31/2011	Northwest Environmental Advocates v. EPA; 3:11-cv-882; D OR	Northwest Environmental Advocates	CWA	Dismissed voluntarily by plaintiff.	10/7/2011	\$0.00
6/4/2011	Native Village of Kivalina IRA Council, et al. v. EPA; 11-70776; 9th Cir.	Native Village of Kivalina IRA Council; Native Village of Point Hope IRA Council	CWA	Case pending.	n/a	n/a
6/13/2011	City of Columbia (MO), et al. v. EPA; 2:11-cv-04155-FJG; WD MO	City of Columbia (MO); The Curators of the University of Missouri; Boone County (MO)	CWA	Case pending.	n/a	n/a

Water Suits filed from 10/1/2005 through 10/13/2011

Date Opened	Case Information	Plaintiffs/Petitioners	Statute	Outcome/Disposition	Date Decision Issued or Case Settled	Fees & Costs Paid
7/5/2011	State Water Contractors, et al. v. EPA; 11-16817; 9th Cir.	State Water Contractors; San Luis & Delta-Mendota Water Authority; Westlands Water District; Steward and Jasper Orchards; Arroyo Farms, LLC; King Pistachio Grove; Metropolitan Water District of Southern California, Coalition for a Sustainable Delta; Kern County Water Agency; Family Farm Alliance	CWA	Case pending.	n/a	n/a
7/27/2011	Delaware Riverkeeper, et al. v. EPA; 3:11-cv-04302; D NJ	Delaware Riverkeeper Network; Delaware Riverkeeper	CWA	Case pending.	n/a	n/a
9/8/2011	Laimco Development Co. v. EPA; No. 1:10 CV 449; ND OH	Laimco Development Co.	CWA	Case pending.	n/a	n/a
9/19/2011	Conservation Law Foundation, et al. v. EPA; 11-cv-1657; D MA	Conservation Law Foundation; Coalition for Buzzards Bay	CWA	Case pending.	n/a	n/a
9/30/2011	City of Springfield v. EPA; 6:11-cv-03383; WD MO	City of Springfield	CWA	Case pending.	n/a	n/a
10/6/2011	National Wildlife Federation, et al. v. EPA; 1:11-cv-01777; D DC	National Wildlife Federation; Minnesota Conservation Federation	CWA	Case pending.	n/a	n/a
10/7/2011	El Dorado Chemical Company v. EPA; CV: 11-1059; WD AR	El Dorado Chemical Company	CWA	Case pending.	n/a	n/a

Water - Settlement Agreements and Consent Decrees
10/1/2005 through 10/13/2011

Date SA/CD Entry	SA or CD?	Case Information	Plaintiffs/Petitioners	Statute	Summary of SA/CD	Fees & Costs Paid
11/9/2005	SA	Minnesota Center for Environmental Advocacy v. EPA; 03-5450; D MN	Minnesota Center for Environmental Advocacy	CWA	1. On 6/23/05 the court remanded EPA's approval of MN's regional fecal coliform TMDL. 2. On 11/9/05, EPA signed a settlement agreement to pay plaintiffs \$45,000 in attorney fees and costs.	\$45,000.00
12/13/2005	SA;CD	Natural Resources Defense Council, et al. v. EPA; 1:05 CV 02243; D DC	Natural Resources Defense Council; Bay Area Physicians for Social Responsibility	SDWA	Signed 11/16/2005. Consent Decree obligation to take final action on Stage 2 Disinfectants and Disinfection By-Products Rule by December 15, 2005. First settlement agreement obligation also satisfied on December 15, 2005 when EPA signed final Long-Term 2 Enhanced Surface Water Treatment Rule ("LT2"). Second settlement agreement obligation satisfied in December 2006 when EPA promulgated the Ground Water Rule.	\$32,734.00
3/1/2006	SA	Linda Young, et al. v. EPA; 3:04-CV-889; MD FL	Linda Young; St. Johns Riverkeeper	CWA	1. On 9/20/05, court granted EPA motion for voluntary remand of approval of St. Johns River (FL) TMDL. On 10/25/2005, EPA rescinded TMDL. On 1/23/2006 EPA established new TMDL for the river. 2. On 3/1/2006, EPA and plaintiffs entered stipulated settlement agreement to pay \$19,801.25 in attorneys fees.	\$19,801.25
8/17/2006	SA	Iowa Environmental Council, et al. v. EPA; CV 05-346; SD IA	Iowa Environmental Council; Northeast Iowa Citizens for Clean Water; Sierra Club; Steve Veysey	CWA	EPA agreed to make a CWA determination, by a date certain, whether or not Iowa requires new or revised chloride water quality standards, unless Iowa first submits such standards for EPA review.	\$8,414.00
3/1/2007	SA	Miami-Dade County, et al. v. EPA; 06-10551-A; 11th Cir.	Miami-Dade County; Palm Beach County; of Miramar; City of Miramar; City of Cooper; City of Ft. Lauderdale; City of Sunrise; Sierra Club; City of Margate	SDWA	1. Eleventh Circuit denied petitions of non-settling defendants for review and upheld SDWA legality of Florida-specific UIC Class 1 rule. 2. On 3/1/2007, EPA signed settlement agreement with certain plaintiffs (Palm Beach County and City of Fort Lauderdale) and State of Florida. EPA agreed to provide status reports but did not promise to do anything else of a substantive nature. Plaintiffs reserved right to lift stay if FL did not promulgate and EPA did not approve revised regulations. Otherwise, plaintiffs agreed to dismiss their suits.	\$0.00
5/31/2007	SA	National Association of Home Builders, et al. v. Army Corps of Engineers et al.; 1:01 CV 00274; D DC	National Association of Home Builders; National Stone, Sand and Gravel Association	CWA	District Court declared EPA's "Tulloch II" rule invalid on 1/30/07. The Government agreed to pay attorneys' fees. (EPA and ACOE split the fees.)	\$147,542.58
6/20/2007	SA	Ecological Rights Foundation, et al. v. EPA; C 08 5158SC; ND CA	Baykeeper; Ecological Rights Foundation; Communities for a Better Environment	CWA	1. EPA committed to review and report to plaintiffs on compliance schedules in at least 12 CA NPDES permits. 2. EPA also agreed to pay plaintiffs \$125,000 in attorneys fees.	\$125,000.00
8/15/2007	SA	Friends of the Earth v. EPA; 1:04 CV 00092; D DC	Friends of the Earth	CWA	1. On 4/25/2006, DC Circuit held that TMDLs for DC waters were unlawful under CWA 303(d) because not expressed as "daily loads." 2. On 8/15/2007, EPA signed settlement agreement to pay Friends of the Earth \$99,660.00 in attorneys fees.	\$99,660.00
8/20/2007	SA	Ohio Valley Environmental Coalition, et al. v. EPA; 3:07-0180; SD WV	Ohio Valley Environmental Coalition; West Virginia Highlands Conservancy, Inc.	CWA	EPA agreed to respond to plaintiffs administrative petition by 9/21/07.	\$2,805.00
11/30/2007	CD	National Wildlife Federation, et al. v. EPA; 06-12423; ED MI	National Wildlife Federation; Lone Tree Council	CWA	Intervenor-defendant State of Michigan agreed to certain actions regarding adoption and implementation of a mercury variance policy. No EPA commitments.	\$27,273.00
1/22/2008	SA	Friends of the Earth v. EPA; 07-cv-000872; D DC	Friends of the Earth	CWA	EPA agrees to prepare, invite public comment, then publish a cruise ship discharge assessment report.	\$19,000.00

Water - Settlement Agreements and Consent Decrees
10/1/2005 through 10/13/2011

Date SA/CD Entry	SA or CD?	Case Information	Plaintiffs/Petitioners	Statute	Summary of SA/CD	Fees & Costs Paid
5/29/2008	CD	Northwest Environmental Advocates v. EPA; 06 CV 479; D OR	Northwest Environmental Advocates	CWA	Fixed schedule for EPA to review, under CWA 303(c), Oregon's water quality standards submission from July 8, 2004.	\$60,000.00
7/9/2008	SA	Klamath Riverkeeper v. EPA; 3:07 cv 3908; ND CA	Klamath Riverkeeper	CWA	EPA took action to disapprove California's CWA 303(d) list and identify a segment of the Klamath River as impaired for microcystin toxin.	\$65,459.20
8/21/2008	SA	Union Oil Company of California v. EPA; 07-72656; 9th Cir.	Union Oil Company of California	CWA	EPA agreed to permit modification based on interpretation of ELG.	\$0.00
8/27/2008	SA	Sierra Club, Inc., et al. v. EPA; 4:04 cv 120; ND FL	Florida Public Interest Research Group Citizen Lobby, Inc.; Linda Young; Save Our Suwannee, Inc.; Sierra Club, Inc.; Friends of St. Sebastian	CWA	Resolution of litigation begun in 2004 challenging EPA's approval of Florida's CWA 303(d) list of Impaired Waters. Court of Appeals reversed and remanded in part in 2007. On remand, EPA issued new decision; plaintiffs dismissed their appeal after EPA issued revised decision.	\$169,000.00
9/04/2008	SA;CD	Natural Resources Defense Council, et al. v. EPA; CV 08-4843; CD CA	Natural Resources Defense Council; LA Flood Control District; National Assoc. of Clean Water Agencies	CWA	EPA commitment to deadlines to complete studies pursuant to CWA section 104(v) and publish new or revised recommended water quality criteria for pathogens and pathogen indicators pursuant to CWA section 304(a)(9). Fees were paid as follows: \$498,000 to NRDC, \$201,000 to LA Flood Control District, \$95,000 to NACWA. SA signed 8/7/08; CD entered 9/4/08.	\$794,000.00
2/26/2009	SA	Natural Resources Defense Council v. EPA; 08-73217; 9th Cir.	Natural Resources Defense Council	CWA	9th Circuit vacated EPA's rule: "Amendments to the National Pollutant Discharge Elimination System (NPDES) Regulations for Storm Water Discharges Associated With Oil and Gas Exploration, Production, Processing, or Treatment Operations or Transmission Facilities." 71 Fed. Reg. 33,628 (codified at 40 C.F.R. § 122.26(a)(2)(H)). We settled on \$117,125 in attorneys' fees, which was added to the \$628.70 in statutory costs that the Court had awarded to plaintiffs.	\$117,125.00
4/2/2009	SA	Idaho Conservation League v. EPA; NOI received 7/7/2008.	Idaho Conservation League	CWA	EPA agreed to take action regarding revisions to Idaho WQ criteria for arsenic and cadmium by date certain and not to take action on Idaho site-specific criteria until taking action on 2006 HH criteria, and to take action on those criteria by August 2011 (subsequently extended to January 2, 2012). (A suit was then filed 1/3/12.)	\$9,000.00
12/21/2009	CD	Linda Young, et al. v. EPA; 04:09 cv 27; ND FL	Linda Young; Florida Clean Water Network, Inc.	CWA	EPA agreed to review and approve or disapprove Florida's submitted 303(d) list for Group 3 by April 30, 2010 and for Group 4 by December 31, 2010.	\$13,634.50
12/30/2009	CD	Florida Wildlife Federation, et al. v. EPA; 4:08 cv 00324; ND FL	Florida Wildlife Federation, Sierra Club, Conservancy of Southwest Florida, Environmental Confederation of Southwest Florida, St. Johns Riverkeeper	CWA	EPA agreed to deadlines in consent decree for proposing and taking final agency action on numeric nutrient criteria for Florida waters.	\$198,997.00
3/10/2010	SA	Center for Biological Diversity v. EPA; 2:09 cv 870; WD WA	Center for Biological Diversity	CWA	EPA agreed to (1) send letter to WA State December 1, 2009, encouraging submittal of April 2010 303(d) list with ocean acidification (OA) data; (2) sign FR notice requesting comments on OA under 303(d) program by March 15, 2010; and (3) complete a memorandum that describes how EPA intends to proceed with 303(d) program in light of comments from FRN by November 15, 2010. Parties agree that completion of memo will not constitute final agency action.	\$18,000.00
3/12/2010	SA	Weisberg, Richard v. EPA; 309 CV 329; D CT	Weisberg, Richard	CWA	EPA agreed to send letter to Connecticut with comments regarding the State's triennial review of its CWA WQS. Plaintiff dismissed complaint.	\$1,178.55

Water - Settlement Agreements and Consent Decrees
10/1/2005 through 10/13/2011

Date SA/CD Entry	SA or CD?	Case Information	Plaintiffs/Petitioners	Statute	Summary of SA/CD	Fees & Costs Paid
3/19/2010	SA	National Parks Conservation Association v. Kempthorne, et al.; 1:09-cv-00115; D DC	National Parks Conservation Association	CWA	The settlement does not require any action by EPA. The agreement provides a schedule for OSM to propose an amendment to -- or a replacement for -- the 2008 Stream Buffer Zone (SBZ) Rule. The U.S. government paid fees but not on behalf of EPA.	\$0.00
3/19/2010	SA	Coal River Mountain Watch, et al. v. Kempthorne, et al.; 1:08-cv-02212; D DC	Coal River Mountain Watch; Kentucky Waterways Alliance; Ohio Valley Environmental Coalition; Sierra Club; Waterkeeper Alliance; West Virginia Highlands Conservancy	CWA	Same agreement as 1:09-cv-00115.	\$0.00
4/12/2010	SA	Conservation Law Foundation v. EPA; 2:08-CV-238; D VT	Conservation Law Foundation	CWA	SA whereby EPA agreed to take voluntary remand of TMDL, decide within 120 days whether to disapprove, and then, once EPA made its final determination, CLF would move for voluntary dismissal.	\$38,826.62
5/10/2010	SA	Chesapeake Bay Foundation, et al. v. EPA; 1:09-cv-00005; D DC	C. Bernard Fowler; Harry R. Hughes; W. Tayloe Murphy, Jr.; Anthony Williams; Chesapeake Bay Foundation; Maryland Saltwater Sportsfisherman's Assoc.; Maryland Waterman's Assoc., Inc.; Virginia Waterman's Assoc.	CWA	EPA agreed to establish CBay TMDL by December 2010; propose NPDES stormwater and CAFO rules; and take a variety of other actions to protect and restore the Bay.	\$0.00
5/25/2010	SA	Natural Resources Defense Council, et al. v. EPA; 08-75023 (9th Cir.); 09-80519 (5th Cir.)	Natural Resources Defense Council; Sierra Club; Waterkeeper Alliance	CWA	In settlement with NRDC, Sierra Club and Waterkeeper Alliance, EPA committed to issue guidance regarding "duty to apply" for a permit and propose and take final action on an information collection rule under CWA section 308.	\$95,000.00
6/7/2010	SA;CD	Northwest Environmental Defense Center, et al. v. EPA; CV 07-1398; D OR	Northwest Environmental Defense Center; Northwest Environmental Advocates; Columbia Riverkeeper; Willamette Riverkeeper	CWA	In CD, EPA agreed to initiate ESA consultation, if necessary, re: approval of resubmitted OR compliance schedule authorizing provision. In companion SA, EPA agreed to take certain actions to strengthen and review OR's issuance of compliance schedules in NPDES permits. SA signed 6/4/10; CD entered 6/7/10.	\$40,000.00
6/15/2010	SA	National Cotton Council, et al. v. EPA; 06-4630; 6th Cir.	National Cotton Council; Environment Maine; Waterkeeper Alliance; BASF Corp.; Syngenta Corp.; Delta Council; Illinois Fert. & Chem. Ass'n; Agribusiness Ass'n of Iowa; Baykeeper; Southern Crop Prod. Ass'n; CropLife America	CWA	Environmental Petitioners' petitions GRANTED in part and DENIED in part; Industry Petitioners' petitions DENIED in whole; Final Rule VACATED. Fees paid to Baykeeper.	\$500,000.00
7/2/2010	SA	Environmental Geo-Technologies, LLC, et al. v. EPA; 10-12841; ED Mich	Environmental Geo-Technologies, LLC; Police and Fire Retirement System of the City of Detroit; RDD Investment Corp.; RDD Operations LLC	SDWA	Both EPA and MDNR agreed to set up a timeline to make a final permit decision on a UIC Class I hazardous site. Negotiations still underway concerning attorneys fees.	n/a
7/12/2010	SA	Wild Fish Conservancy, Inc. v. EPA; 3:08-cv-05585; WD WA	Wild Fish Conservancy, Inc.	CWA	EPA extended NPDES permit coverage to the Quilcene National Fish Hatchery.	\$90,000.00

Water - Settlement Agreements and Consent Decrees
10/1/2005 through 10/13/2011

Date SA/CD Entry	SA or CD?	Case Information	Plaintiffs/Petitioners	Statute	Summary of SA/CD	Fees & Costs Paid
9/27/2010	SA	Northwest Environmental Advocates v. EPA; 09-cv-0017; D OR	Northwest Environmental Advocates	CWA	EPA agrees to propose and take final action to approve or disapprove Oregon CZARA program by May 15, 2014. EPA shared payment of fees with NOAA.	\$83,500.00
11/8/2010	CD	Defenders of Wildlife, et al. v. Jackson; 10-cv-01915; D DC	Defenders of Wildlife; Sierra Club	CWA	Decree includes a schedule for rulemaking governing revisions of the Steam Electric ELG. EPA also agreed to pay \$40,000 in "costs, attorneys' fees and expenses." Parties filed Signed Consent Decree with Court on 11/8/10, but as of 2/1/12, we are still waiting for Court to enter Decree.	\$40,000.00
11/22/2010	SA	Cronin, et al. v. Reilly; 93 CV 314; SD NY; Riverkeeper, Inc., et al. v. EPA, 06 CV 12987; SD NY	Alex Matthiessen, a/k/a the Hudson Riverkeeper; American Littoral Society; Andrew Willner, a/k/a The New York/New Jersey Baykeeper; John Torgan, a/k/a The Narragansett Baykeeper; Joseph E. Payne, a/k/a The Casco Baykeeper; Leo O'Brien, a/k/a The San Francisco Baykeeper; Long Island Soundkeeper Fund, Inc.; Maya K. Van Rossum, a/k/a the Delaware Riverkeeper; New York Coastal Fishermen's Association, Inc.; Steven E. Fleischli, a/k/a The Santa Monica Baykeeper; Sue Joerger, a/k/a The Puget Soundkeeper; Terrance E. Backer, a/k/a the Soundkeeper; Delaware Riverkeeper Network; Friends of Casco Bay, Massachusetts Public Interest Research Group, Inc. Natural Resources Defense Council, Raritan Baykeeper, Inc. Save the Bay, Surfrider Foundation, Waterkeeper Alliance.	CWA	Signed settlement agreement Nov 22, 2010. EPA agreed to propose a rule concerning cooling water intake structures by March 2011; take final action by July 27, 2012. The settlement of fees was \$ 210,854.00 in case no. 93-cv-0314 and \$ 95,500.00 in case no. 06-cv-12987.	\$306,354.00
12/2/2010	SA	Anacostia Riverkeeper, Inc., e al. v. EPA; 1:09-cv-00098; D DC	Anacostia Riverkeeper, Inc., Friends of the Earth; Potomac Riverkeeper, Inc.	CWA	1. On May 25, 2010, Court order stays vacatur (variously until 2011, 2014, and 2017) of 300+ non-daily load TMDLs for DC waters. TMDLs had been held unlawful by DC Circuit in 2006 for failure to contain "daily loads." 2. On 12/2/10, EPA signed settlement agreement to pay \$27,660.55.	\$27,660.55
12/20/2010	SA	Alfred J. Davis, et al. v. EPA; 8:09-cv-01070; MD FL	Alfred J. Davis and Cynthia F. Davis	CWA	EPA agreed: (1) when reviewing Florida's next CWA section 303(d) list (which FDEP is expected to submit in 2012), EPA will consider Florida's antidegradation requirements and all existing and readily available water quality-related data and information and (2) if EPA disapproves Florida's next section 303(d) list for failure to appropriately assess and identify waters that are not attaining Florida's antidegradation requirements, EPA will identify (add) those waters on Florida's list.	\$49,929.00

Water - Settlement Agreements and Consent Decrees
10/1/2005 through 10/13/2011

Date SA/CD Entry	SA or CD?	Case Information	Plaintiffs/Petitioners	Statute	Summary of SA/CD	Fees & Costs Paid
3/3/2011	SA	Idaho Conservation League v. EPA; 10-cv-207; D ID	Idaho Conservation League	CWA	In the Settlement Agreement, Plaintiffs agreed to dismiss their claims with prejudice and EPA agreed to produce certain documents and pay \$18,000 in litigation costs. Upon a joint motion by the parties, the Court dismissed the case with prejudice on 4/4/11.	\$18,000.00
3/8/2011	SA	Natural Resources Defense Council, et al. v. EPA; 09-1089, 09-1131, 09-1135, 09-1162, 09-1163 (consolidated); DC Cir.	Center for Biological Diversity; League of Ohio Sportsmen; Michigan; Minnesota Conservation Federation; National Wildlife Federation; Natural Resources Defense Council; Northwest Environmental Advocates; Ohio Environmental Council; People for Puget Sound	CWA	Key obligations include: <ul style="list-style-type: none"> • Propose the next draft Vessel General Permit (VGP) by November 30, 2011 and take final action by November 30, 2012; • Commence ESA consultation on the permit no later than 30 days after draft published; • Enhance Agency's process for obtaining state CWA §401 certifications in specified ways; • Include certain types of conditions in the next draft VGP, including numeric concentration-based effluent limits for ballast water discharges, monitoring requirements for ballast water treatment systems, a four-year permit term, and a specified recopener provision; • Explain in the administrative record certain decisions made for next draft VGP; • Make "best efforts" to ensure that that the National Academy of Sciences ("NAS") and EPA Science Advisory Board ("SAB") complete planned studies by May 31, 2011, share those studies with the petitioners, and hold a series of meetings with Petitioners after completion of those studies. 	\$131,922.00



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

MAR 16 2012

OFFICE OF CONGRESSIONAL AND
INTERGOVERNMENTAL RELATIONS

The Honorable Fred Upton
Chairman
Committee on Energy and Commerce
U.S. House of Representatives
Washington, D.C. 20510

Dear Mr. Chairman:

I am writing in response to your letter of October 26, 2011, which requested information about environmental litigation against the U.S. Environmental Protection Agency (EPA or Agency) and the Agency's practices with regard to the settlement of such litigation. The EPA provided its first and second responses to this request on January 17, 2012, and February 17, 2012, respectively. In addition, EPA staff provided Committee staff with a briefing on related issues on February 23, 2012.

I am enclosing the final installment of information responsive to your request. This installment provides information relating to lawsuits against the EPA under the Clean Air Act (CAA). This information reflects available data from the Agency's databases and files.

Thank you for your letter. If you have questions, please contact me or have your staff contact Tom Dickerson on my staff at (202) 564-3638.

Sincerely,

A handwritten signature in black ink, appearing to read "Arvin", is placed below the word "Sincerely,".

Arvin Ganesan
Associate Administrator
Congressional and Intergovernmental Relations

cc: The Honorable Henry A. Waxman
Ranking Member

Enclosures

Suits under the CAA filed from 10/1/2005 through 10/13/2011

Case Information	Plaintiffs/Petitioners	Statute	Outcome/ Disposition	Court Decision Date	Fees & Costs Paid *
Sierra Club v. EPA; No. 06-10714-E; 11th Circuit	Sierra Club	CAA	Decided in EPA's favor	6/26/2007	\$0.00
Natural Resources Defense Council v. EPA; No. 06-1045; D.C. Circuit	Natural Resources Defense Council	CAA	Decided partly in EPA's favor and partly in Plaintiff's favor	7/10/2009	\$825.21
Kentuckians For the Commonwealth, et al. v. EPA; No. 1:06-CV-00184; D. D.C.	Kentuckians For the Commonwealth; Friends Of The Chattahoochee; Sierra Club	CAA	Dismissed following settlement	10/16/2006	\$16,092.00
South Jersey Environmental Justice Alliance v. EPA; No. 06-CV-1004; S.D. NY	South Jersey Environmental Justice Alliance	CAA	Dismissed after acting on the claim; fees pursuant to settlement	5/24/2006	\$1,600.00
Natural Resources Defense Council v. EPA; No. 06-1059; D.C. Circuit	Natural Resources Defense Council	CAA	Dismissed following settlement	10/2/2006	\$0.00
Natural Resources Defense Council v. EPA; No. 06-1061; D.C. Circuit	Natural Resources Defense Council	CAA	Dismissed	4/3/2007	\$0.00
Natural Resources Defense Council v. EPA; No. 06-1060; D.C. Circuit	Natural Resources Defense Council	CAA	Dismissed	4/3/2007	\$0.00
Sierra Club v. EPA; No. 06-1066; D.C. Circuit	Sierra Club	CAA	Held in abeyance	n/a	n/a
Dakota Resource Council v. EPA; No. 06-CV-00412; D. CO	Dakota Resource Council	CAA	Dismissed	10/24/2011	\$0.00
South Jersey Environmental Justice Alliance, et al. v. EPA; No. 06-CV-1969; S.D. NY	New Jersey Public Interest Research Group; South Jersey Environmental Justice Alliance	CAA	Dismissed after acting on the claim; fees pursuant to settlement	6/28/2006	\$1,871.00
Afton Chemical Corporation v. EPA; No. 06-1095; D.C. Circuit	Afton Chemical Corporation	CAA	Held in abeyance	n/a	n/a
American Road & Transportation Builders Association v. EPA; No. 06-1112; D.C. Circuit	American Road & Transportation Builders Association	CAA	Decided in EPA's favor	10/5/2007	\$0.00
Coke Oven Environmental Task Force v. EPA; No. 06-1131; D.C. Circuit	Coke Oven Environmental Task Force	CAA	Dismissed following settlement	3/25/2008	\$0.00
Environmental Defense, et al. v. EPA; No. 06-1149; DC Circuit	Environmental Defense; Natural Resources Defense Council; Sierra Club	CAA	consolidated	consolidated	consolidated
Council of Industrial Boiler Owners v. EPA; No. 06-; D.C. Circuit	Council of Industrial Boiler Owners	CAA	consolidated	consolidated	consolidated
Latino Issues Forum, et al. v. EPA; No. 06-71907; 9th Circuit	Latino Issues Forum; Medical Advocates for Healthy Air; Sierra Club	CAA	Decided in EPA's favor	3/5/2009	\$0.00
State of New York, et al. v. EPA; No. 06-1148; D.C. Circuit	City of New York; Commonwealth of Massachusetts; District of Columbia; State of California; State of Connecticut; State of Maine; State of New Mexico; State of New York; State of Oregon; State of Rhode Island; State of Vermont; State of Wisconsin	CAA	EPA sought and the Court granted a voluntary remand.	9/24/2007	\$0.00
Utility Air Regulatory Group v. EPA; No. 06-1148; D.C. Circuit	Utility Air Regulatory Group	CAA	consolidated	consolidated	consolidated
Environmental Defense, Inc., et al. v. EPA; No. 06-1164; D.C. Circuit	Environmental Defense, Inc.; Natural Resources Defense Council; Sierra Club	CAA	Decided partly in EPA's favor and partly in Petitioners' favor; fees pursuant to settlement.	5/22/2007	\$945.69

* Some amounts are stipulated, either as part of or subsequent to a settlement on some or all of the substance of the case, while others may be determined by court order.

Suits under the CAA filed from 10/1/2005 through 10/13/2011

Date Opened	Lead (secondary)	Case Information	Plaintiffs/Petitioners	Statute	Outcome/ Disposition	Court Decision Date	Fees & Costs Paid *
6/27/2006	1:06-CV-1523	Sierra Club, et al. v. EPA; No. 1:06-CV-1523; N.D. GA	Sierra Club; Coosa River Basin Initiative	CAA	Dismissed following settlement	2/12/2007	\$12,000.00
7/7/2006	06-1250	Sierra Club v. EPA; No. 06-1250; D.C. Circuit	Sierra Club	CAA	EPA sought and the Court granted a voluntary remand.	2/15/2008	\$0.00
7/12/2006	06-4273	Environmental Defense v. EPA; No. 06-4273; N.D. CA	Environmental Defense	CAA	Dismissed	10/16/2008	\$0.00
7/12/2006	06-CA-11196	National Fuelsaver Corp. v. EPA; No.06-CA-11196; D. MA	National Fuelsaver Corp.	CAA	Dismissed	11/7/2007	\$0.00
7/24/2006	06-CV-4000	Sierra Club, et al. v. EPA; No. 06-CV-4000; N.D. IL	American Bottom Conservancy; Sierra Club	CAA	Dismissed following settlement	6/4/2008	\$7,250.00
7/25/2006	06-1287	Mayor & City Council of Baltimore v. EPA; No. 06-1287; D.C. Circuit	Mayor & City Council of Baltimore	CAA	Decided in Petitioners' favor	2/8/2008	\$0.00
7/26/2006	06-00663	Sierra Club v. EPA; No. 06-00663; D. NM	Sierra Club	CAA	Dismissed following settlement	12/13/2006	\$14,360.00
7/31/2006	06-CV-01350	Center for Biological Diversity, et al. v. EPA; No. 06-CV-01350; D.C. Circuit	Center for Biological Diversity; Preston Forsythe; Hilary Lambert	CAA	Dismissed following settlement	9/16/2009	\$22,500.00
8/28/2006	06-CV-6517	Elmwood Park Environmental Committee, et al. v. EPA; No. 06-CV-6517; S.D. NY	Elmwood Park Environmental Committee; GreenFaith	CAA	Dismissed after acting on the claim	12/26/2006	\$1,900.00
8/29/2006	06-5288	Sierra Club v. EPA; No. 06-5288; N.D. CA	Sierra Club	CAA	Stayed pursuant to CD; fees pursuant to underlying litigation	5/4/2007	\$35,275.00
9/11/2006	06-1321	American Petroleum Institute v. EPA; No. 06-1321; D.C. Circuit	American Petroleum Institute	CAA	Dismissed following settlement	5/22/2009	\$0.00
9/13/2006	06-1322	State of New York v. EPA; No. 06-1322; D.C. Circuit	State of New York	CAA	Remanded	9/24/2007	\$0.00
9/21/2006	06-1330	Sierra Club, et al. v. EPA; No. 06-1330; D.C. Circuit	Sierra Club; Halogenated Solvents Industry; Neighborhood Cleaners Association; International Fabricare Institute and Textile Care Allied Trades Association; National Cleaners Association	CAA	Case pending	n/a	n/a
9/27/2006	06-74701	Robin Silver, et al. v. EPA; No. 06-74701; 9th Circuit	Robin Silver; Sandra L. Bahr; David Matusow	CAA	Remanded	9/26/2007	\$0.00
10/16/2006	(05-1441)	Sierra Club v. EPA; No. 06-1348; D.C. Circuit	Sierra Club	CAA	consolidated	consolidated	consolidated
10/23/2006	(05-1441)	Cement Kiln Recycling Coalition v. EPA; No. 06-1355; D.C. Circuit	Cement Kiln Recycling Coalition	CAA	consolidated	consolidated	consolidated
10/25/2006	06-3907	Sierra Club, et al. v. EPA; No. 06-3907; 7th Circuit	American Bottom Conservancy; American Lung Association of Metropolitan Chicago; Sierra Club; Health and Environmental Justice-St. Louis; Valley Watch	CAA	Decided in EPA's favor	10/19/2007	\$0.00
11/6/2006	06-61030	Galveston-Houston Association For Smog Prevention v. EPA; No. 06-61030; Sth Circuit	Galveston-Houston Association For Smog Prevention	CAA	Decided in EPA's favor	8/13/2008	\$0.00
11/7/2006	1:06-CV-01905	Enviro Tech International, Inc. v. EPA; No. 1:06-CV-01905; D. D.C.	Enviro Tech International, Inc.	CAA	Voluntarily dismissed by Plaintiff	6/25/2007	\$0.00
11/21/2006	1:06-CV-01992	Rocky Mountain Clean Air Action, et al. v. EPA; No. 1:06-CV-01992; D. D.C.	Jeremy Nichols; Rocky Mountain Clean Air Action	CAA	Dismissed following settlement	5/17/2007	\$4,895.00

Suits under the CAA filed from 10/1/2005 through 10/13/2011

Date Opened	Lead (secondary)	Case Information	Plaintiffs/Petitioners	Statute	Outcome/ Disposition	Court Decision Date	Fees & Costs Paid *
11/29/2006	(06-1330)	Halogenated Solvents, et al. v. EPA; 06-1333; D.C. Circuit	Sierra Club; Halogenated Solvents Industry; Neighborhood Cleaners Association; International Fabricare Institute and Textile Care Allied Trades Association; National Cleaners Association	CAA	consolidated	consolidated	consolidated
12/14/2006	06-1410	American Farm Bureau Federation, et al. v. EPA; No. 06-1410; D.C. Circuit	American Farm Bureau Federation; National Pork Producers Council	CAA	Decided partly in EPA's favor and partly in Petitioners' favor	2/24/2009	\$1,360.00
12/14/2006	(06-1410)	National Mining Association v. EPA; No. 06-1413; D.C. Circuit	National Mining Association	CAA	consolidated	consolidated	consolidated
12/14/2006	(06-1410)	National Cattlemen's Beef Association v. EPA; No. 06-1415; D.C. Circuit	National Cattlemen's Beef Association	CAA	consolidated	consolidated	consolidated
12/14/2006	(06-1410)	Commonwealth of Pennsylvania, et al. v. EPA; No. 06-1416; D.C. Circuit	Commonwealth of Pennsylvania; Department of Environmental Protection; District of Columbia; South Coast Air Quality Management District; State of California; State of Connecticut; State of Delaware; State of Illinois; State of Maine; State of New Hampshire; State of New Jersey; State of New Mexico; State of Oregon; State of Rhode Island; State of Vermont	CAA	consolidated	consolidated	consolidated
12/14/2006	(06-1410)	Newmont USA Limited, dba Newmont Mining Corporation v. EPA; No. 06-1414; D.C. Circuit	Newmont USA Limited, dba Newmont Mining Corporation	CAA	consolidated	consolidated	consolidated
12/14/2006	(06-1410)	American Lung Association v. EPA; No. 06-1411; D.C. Circuit	American Lung Association	CAA	consolidated	consolidated	consolidated
12/14/2006	06-CV-6915	Citizens Against Ruining the Environment v. EPA; No. 06-CV-6915; N.D. IL	Citizens Against Ruining the Environment	CAA	Dismissed following settlement	9/17/2007	\$3,075.00
12/14/2006	06-CV-06909	People of the State of Illinois ex rel. Madigan v. EPA; No. 1:06-CV-06909; N.D. IL	People of the State of Illinois ex rel. Madigan	CAA	Dismissed following settlement	9/17/2007	\$7,621.00
12/14/2006	06-CV-6933	American Lung Association of Metropolitan Chicago, et al. v. EPA; No. 06-CV-6933; N.D. IL	American Lung Association of Metropolitan Chicago; Citizens Against Ruining the Environment; Environmental Law & Policy Center; Little Village Environmental Justice Organization; Sierra Club	CAA	Dismissed following settlement	9/17/2007	\$3,075.00
12/18/2006	(06-1410)	Fine Particulate Matter Petitioners Group v. EPA; No. 06-1416; D.C. Circuit	Fine Particulate Matter Petitioners Group	CAA	consolidated	consolidated	consolidated
12/18/2006	(06-1411)	Agricultural Retailers Association v. EPA; No. 06-1417; D.C. Circuit	Agricultural Retailers Association	CAA	consolidated	consolidated	consolidated
12/26/2006	06-CV-02205	CHS Industries, LLC v. EPA; Customs & Border Protection; No. 1:06-CV-02205; D.C.	CHS Industries, LLC	CAA	Dismissed	9/10/2009	\$0.00
12/27/2006	06-75831	Latino Issues Forum, et al. v. EPA; No. 06-75831; 9th Circuit	Latino Issues Forum; Medical Advocates for Healthy Air; Sierra Club	CAA	Decided in EPA's favor	9/27/2009	\$0.00

Suits under the CAA filed from 10/1/2005 through 10/13/2011

Date Opened	Lead (secondary)	Case Information	Plaintiffs/Petitioners	Statute	Outcome/ Disposition	Court Decision Date	Fees & Costs Paid *
12/29/2006	06-1428	National Environmental Development Association's Clean Air Project v. EPA; No. 06-1428; D.C. Circuit	National Environmental Development Association's Clean Air Project	CAA	Dismissed following settlement	5/14/2008	\$0.00
1/8/2007	409255	Ford Motor Company v. EPA; No. 07-3020; 6th Circuit	Ford Motor Company	CAA	Stayed	n/a	n/a
1/10/2007	07-CV-00055	MacClarence v. EPA; No. 07-CV-00055; D. D.C.	MacClarence	CAA	Dismissed after acting on the claim; fees pursuant to settlement	3/17/2008	\$18,326.00
1/12/2007	07-1116	TSG, Inc. v. EPA; No. 07-1116; 3rd Circuit	TSG, Inc.	CAA	Decided in EPA's favor	11/20/2008	\$0.00
1/29/2007	07-1022	American Petroleum Institute v. EPA; No. 07-1022; D.C. Circuit	American Petroleum Institute	CAA	Case pending	n/a	n/a
1/29/2007	(05-1409)	American Lung Association, et al. v. EPA; No. 07-1021; D.C. Circuit	American Lung Association; Environmental Defense; Natural Resources Defense Council; Sierra Club	CAA	consolidated	consolidated	consolidated
2/6/2007	07-612	State of New Jersey v. EPA; No. 07-612; D. NJ	State of New Jersey	CAA	Dismissed following settlement	5/14/2007	\$3,700.00
2/12/2007	07-1039	Environmental Integrity Project v. EPA; No. 07-1039; D.C. Circuit	Environmental Integrity Project	CAA	Case pending	n/a	n/a
2/12/2007	07-1040	Natural Resources Defense Council v. EPA; No. 07-1040; D.C. Circuit	Natural Resources Defense Council	CAA	Decided in EPA's favor	1/22/2008	\$0.00
2/16/2007	07-10693J	Louisiana-Pacific Corporation v. EPA; No. 07-10693J; 11th Circuit	Louisiana-Pacific Corporation	CAA	Decided partly in EPA's favor and partly in Petitioner's favor and remanded	8/8/2008	\$0.00
2/16/2007	07-1046	Portland Cement Association v. EPA; No. 07-1046; D.C. Circuit	Portland Cement Association	CAA	Held in abeyance following settlement	1/15/2009	n/a
2/16/2007	(07-1046)	Ash Grove Cement Company v. EPA; No. 07-1049; D.C. Circuit	Ash Grove Cement Company	CAA	consolidated	consolidated	consolidated
2/16/2007	(07-1046)	Sierra Club, et al. v. EPA; No. 07-1048; D.C. Circuit	Sierra Club; Desert Citizens Against Pollution; Downwinders At Risk; Friends of Hudson; Huron Environmental Activist League; Montanans Against Toxic Burning	CAA	consolidated	consolidated	consolidated
2/20/2007	(07-1046)	State of New York, et al. v. EPA; No. 07-1052; D.C. Circuit	Commonwealth of Massachusetts; Commonwealth of Pennsylvania, Department of Environmental Protection; State of Connecticut; State of Delaware; State of Illinois; State of Maryland; State of Michigan; State of New Jersey; State of New York;	CAA	consolidated	consolidated	consolidated
2/20/2007	07-1053	Natural Resources Defense Council, et al. v. EPA; No. 07-1053; D.C. Circuit	Louisiana Environmental Action Network; Natural Resources Defense Council	CAA	Decided in EPA's favor	6/6/2008	\$0.00
2/23/2007	(07-1053)	Chrysler LLC, et al. v. EPA; No. 07-1057; D.C. Circuit	Chrysler LLC; General Motors Corporation	CAA	consolidated	consolidated	consolidated
2/23/2007	07-CV-00396-RBW	Idaho Conservation League, et al. v. EPA; No. 07-CV-00396-RBW; D. D.C.	Idaho Conservation League; Friends of the Clearwater; Mark Solomon	CAA	Dismissed after acting on the claim; fees pursuant to settlement	8/14/2007	\$4,945.00
2/28/2007	07-CV-00414	Sierra Club v. EPA; No. 1:07-CV-00414; D. D.C.	Sierra Club	CAA	Dismissed following settlement	10/24/2007	\$0.00

Suits under the CAA filed from 10/1/2005 through 10/13/2011

Date Opened	Lead (secondary)	Case Information	Plaintiffs/Petitioners	Statute	Outcome/ Disposition	Court Decision Date	Fees & Costs Paid *
3/8/2007	07-1063	Sierra Club v. EPA; No. 07-1063; D.C. Circuit	Sierra Club	CAA	Held in abeyance	n/a	n/a
3/19/2007	07-C-0154-S	Sierra Club v. EPA; No. 07-C-0154-S; W.D. WI	Sierra Club	CAA	Dismissed following settlement	10/23/2007	\$3,454.66
4/6/2007	07-11537-H	Sierra Club, et al. v. EPA; No. 07-11537-H; 11th Circuit	Coosa River Basin Initiative; Sierra Club	CAA	Dismissed	9/2/2008	\$0.00
4/13/2007	3:07-CV-00052	Oliver v. EPA; No. 3:07-CV-00052; D. A.K.	Nancy Oliver	CAA	Dismissed	7/25/2007	\$0.00
4/30/2007	07-CV-0953	Sierra Club v. EPA; No. 07-CV-0953; N.D. GA	Sierra Club	CAA	Dismissed following settlement	9/27/2007	\$7,843.00
5/21/2007	07-1151	Natural Resources Defense Council v. EPA; No. 07-1151; D.C. Circuit	Natural Resources Defense Council	CAA	Decided in EPA's favor	3/20/2009	\$0.00
6/11/2007	07-CV-01040	Sierra Club v. EPA; No. 1:07-CV-01040; D. D.C.	Sierra Club	CAA	Dismissed following settlement	11/6/2007	\$4,898.00
6/21/2007	07-1227	National Cattlemen's Beef Association v. EPA; No. 07-1227; D.C. Circuit	National Cattlemen's Beef Association	CAA	Held in abeyance	n/a	n/a
6/22/2007	(07-1227)	State of New York v. EPA; No. 07-1230; D.C. Circuit	State of New York	CAA	consolidated	consolidated	consolidated
6/25/2007	(07-1227)	National Environmental Development Association's Clean Air Project v. EPA; No. 07-1231; D.C. Circuit	National Environmental Development Association's Clean Air Project	CAA	consolidated	consolidated	consolidated
6/25/2007	(07-1227)	State of New Jersey v. EPA; No. 07-1229; D.C. Circuit	State of New Jersey	CAA	consolidated	consolidated	consolidated
6/25/2007	(07-1227)	National Petrochemical & Refiners Association v. EPA; No. 07-1232; D.C. Circuit	National Petrochemical & Refiners Association	CAA	consolidated	consolidated	consolidated
7/2/2007	07-1129	Commonwealth of Pennsylvania, Department of Environmental Protection v. EPA; No. 07-1129; D.C. Circuit	Commonwealth of Pennsylvania, Department of Environmental Protection	CAA	Dismissed	4/7/2011	\$0.00
7/2/2007	(07-1129)	Natural Resources Defense Council v. EPA; No. 07-1256; D.C. Circuit	Natural Resources Defense Council	CAA	consolidated	consolidated	consolidated
7/2/2007	(07-1129)	Citizens for Pennsylvania's Future and Sierra Club v. EPA; No. 07-1255; D.C. Circuit	Citizens for Pennsylvania's Future and Sierra Club	CAA	consolidated	consolidated	consolidated
7/2/2007	07-1257	Natural Resources Defense Council v. EPA; No. 07-1257; D.C. Circuit	Natural Resources Defense Council	CAA	Held in abeyance	n/a	n/a
7/3/2007	2792827	Arizona Public Service Company v. EPA; No. 07-9546; 10th Circuit	Arizona Public Service Company	CAA	Decided in EPA's favor and remanded	4/14/2011	\$0.00
7/6/2007	2793192	Sierra Club, et al. v. EPA; No. 07-9547; 10th Circuit	Sierra Club; Dine Care Dine for the C-Aquifer; San Juan Citizens Alliance	CAA	Decided in EPA's favor and remanded	4/14/2009	\$0.00
7/17/2007	(06-1330)	Sierra Club, et al. v. EPA; No. 07-1200; D.C. Circuit	Sierra Club; Halogenated Solvents Industry; Neighborhood Cleaners Association; International Fabricare Institute and Textile Care Allied Trades Association; National Cleaners Association	CAA	consolidated	consolidated	consolidated

Suits under the CAA filed from 10/1/2005 through 10/13/2011

Date Opened	Lead (secondary)	Case Information	Plaintiffs/Petitioners	Statute	Outcome/ Disposition	Court Decision Date	Fees & Costs Paid *
7/17/2007	07-CV-03678	Communities for a Better Environment, et al. v. EPA; No. 07-CV-03678; N.D. CA	Coalition for a Safe Environment; Communities for a Better Environment; Physicians for Social Responsibility; Rocky Mountain Clean Air Action	CAA	Decided in Plaintiffs' favor	8/30/2010	\$65,000.00
8/8/2007	07-72756	MacClarence v. EPA; No. 07-72756; 9th Circuit	Bill MacClarence	CAA	Decided in EPA's favor	3/4/2010	\$0.00
8/22/2007	07-1333	Rocky Mountain Clean Air Action v. EPA; No. 07-1333; D.C. Circuit	Rocky Mountain Clean Air Action	CAA	Dismissed after acting on the claim; fees pursuant to settlement	9/13/2007	\$26,200.00
8/22/2007	(07-1333)	Rocky Mountain Clean Air Action, et al. v. EPA; No. 1:06CV01419; D. D.C.	Rocky Mountain Clean Air Action; Jeremy Nichols	CAA	consolidated	consolidated	consolidated
8/22/2007	(07-1333)	Rocky Mountain Clean Air Action v. EPA; No. 07-1012; D.C. Circuit	Rocky Mountain Clean Air Action	CAA	consolidated	consolidated	consolidated
8/22/2007	(07-1333)	Rocky Mountain Clean Air Action v. EPA; No. 07-1464; D.C. Circuit	Rocky Mountain Clean Air Action	CAA	consolidated	consolidated	consolidated
9/5/2007	07-CV-01572	Friends of the Earth v. EPA; No. 07-CV-01572; D. D.C.	Friends of the Earth	CAA	Dismissed	3/2/2009	\$0.00
9/5/2007	(07-CV-01572)	South Coast Air Quality Management District, et al. v. EPA; No. 07-CV-01744; D. D.C.	South Coast Air Quality Management District; Santa Barbara County Air Pollution Control District; Friends of the Earth	CAA	consolidated	consolidated	consolidated
9/13/2007	07-1364	Battery Council International v. EPA; No. 07-1364; D.C. Circuit	Battery Council International	CAA	Dismissed following settlement	1/17/2008	\$0.00
9/14/2007	(08-4818)	New Jersey Department of EPA v. EPA; No. 07-3746; 3rd Circuit	New Jersey Department of EPA	CAA	consolidated	consolidated	consolidated
9/14/2007	07-3197	Citizens Against Ruining the Environment, et al. v. EPA; No. 07-3197; 7th Circuit	Citizens Against Ruining the Environment; Environmental Law & Policy Center; Little Village Environmental Justice Organization; Sierra Club; Environment Illinois; Respiratory Health Association of Metropolitan Chicago	CAA	Decided in EPA's favor	7/28/2008	\$0.00
9/14/2007	(07-3197)	People of the State of Illinois v. EPA; No. 07-3198; 7th Circuit	People of the State of Illinois	CAA	consolidated	consolidated	consolidated
9/14/2007	(07-3197)	People of the State of Illinois v. EPA; No. 07-3199; 7th Circuit	People of the State of Illinois	CAA	consolidated	consolidated	consolidated
9/18/2007	07-CV-01958	Rocky Mountain Clean Air Action v. EPA; No. 07-CV-01958; D. CO	Rocky Mountain Clean Air Action	CAA	Dismissed	3/3/2008	\$0.00
11/2/2007	(06-1045)	Natural Resources Defense Council v. EPA; No. 07-1311; D.C. Circuit	Natural Resources Defense Council	CAA	consolidated	consolidated	consolidated
11/8/2007	07-CV-02024	State of California, et al. v. EPA; No. 1:07-CV-02024; D. D.C.	California Air Resources Board; State of California	CAA	Dismissed	3/4/2008	\$0.00
11/8/2007	07-1457	State of California, et al. v. EPA; No. 07-1457; D.C. Circuit	California Air Resources Board; State of California	CAA	Dismissed	4/3/2008	\$0.00
12/6/2007	07-4485	Sierra Club v. EPA; No. 07-4485; 6th Circuit	Sierra Club	CAA	Decided in EPA's favor	2/26/2009	\$0.00
12/19/2007	07-1525	Cummins, Inc. v. EPA; No. 07-1525; D.C. Circuit	Cummins, Inc.	CAA	Dismissed	4/19/2010	\$0.00
12/28/2007	3:07-CV-80	Sierra Club, et al. v. EPA; No. 3:07-CV-8; W.D. KY	Sierra Club; Valley Watch; Save the Valley, Inc.	CAA	Dismissed	12/6/2007	\$0.00

Suits under the CAA filed from 10/1/2005 through 10/13/2011

Date Opened	Lead (secondary)	Case Information	Plaintiffs/Petitioners	Statute	Outcome/ Disposition	Court Decision Date	Fees & Costs Paid *
1/2/2008	08-70011	State of California, et al. v. EPA; No. 08-70011; 9th Circuit	California Air Resources Board; State of California; Attorney General of the State of California	CAA	Dismissed	7/25/2008	\$0.00
1/2/2008	(08-70011)	Sierra Club, et al. v. EPA; No. 08-70030; 9th Circuit	Conservation Law Foundation; International Center for Technology Assessment; Natural Resources Defense Council; Sierra Club	CAA	consolidated	consolidated	consolidated
1/14/2008	08-0227	Association of Irrigated Residents, et al. v. EPA; No. 08-0227; N.D. CA	Association of Irrigated Residents; Natural Resources Defense Council	CAA	Dismissed following settlement	9/12/2008	\$44,566.00
1/22/2008	07-4936-CRB	San Francisco Chapter of the A. Philip Randolph Institute, et al. v. EPA; No. 07-4936-CRB; N.D. CA	San Francisco Chapter of the A. Philip Randolph Institute; Californians for Renewable Energy; Lynne Brown; Regina Hollins	CAA	Decided in EPA's favor	5/6/2008	\$0.00
1/25/2008	08-1030	South Coast Air Quality Management District, et al. v. EPA; No. 08-1030; D.C. Circuit	South Coast Air Quality Management District; Santa Barbara County Air District; Friends of the Earth	CAA	Decided in EPA's favor	1/9/2012	\$0.00
1/25/2008	(08-1030)	Friends of the Earth v. EPA; No. 08-1031; D.C. Circuit	Friends of the Earth	CAA	consolidated	consolidated	consolidated
1/28/2008	08-70395	Sierra Club v. EPA; No. 08-70395; 9th Circuit	Sierra Club	CAA	Dismissed after acting on the claim; fees pursuant to settlement	8/9/2010	\$11,019.57
1/30/2008	(08-1030)	Santa Barbara County Air Pollution Control District v. EPA; No. 08-1041; D.C. Circuit	Santa Barbara County Air Pollution Control District	CAA	consolidated	consolidated	consolidated
2/7/2008	08-15264	Sierra Club v. EPA; No. 08-15264; 9th Circuit	Sierra Club	CAA	Decided in Petitioner's favor	9/15/2007	\$26,235.00
2/14/2008	08-1057	Natural Resources Defense Council v. EPA; No. 08-1057; D.C. Circuit	Natural Resources Defense Council	CAA	Decided partly in EPA's favor and partly in Petitioner's favor	3/20/2009	\$0.00
2/19/2008	08-1392	Sierra Club v. EPA; No. 08-1392; 8th Circuit	Sierra Club	CAA	Remanded	8/14/2009	\$0.00
2/19/2008	08-1065	State of New Jersey v. EPA; No. 08-1065; D.C. Circuit	State of New Jersey	CAA	Held in abeyance	n/a	n/a
2/20/2008	08-1063	State of California, et al. v. EPA; No. 08-1063; D.C. Circuit	Attorney General of the State of California; California Air Resources Board; State of California	CAA	Dismissed	10/8/2008	\$0.00
2/21/2008	08-1068	American Chemistry Council's Methyl Bromide Industry Panel v. EPA; No. 08-1068; D.C. Circuit	American Chemistry Council's Methyl Bromide Industry Panel	CAA	Dismissed	1/27/2009	\$0.00
2/25/2008	08-1014	American Chemistry Council, et al. v. EPA; No. 08-1014; D.C. Circuit	American Chemistry Council; American Petroleum Institute; National Petrochemical & Refiners Association	CAA	Held in abeyance	n/a	n/a
2/26/2008	08-1277	Mirant Potomac River, LLC v. EPA; No. 08-1277; 4th Circuit	Mirant Potomac River, LLC	CAA	Decided in EPA's favor	8/12/2009	\$0.00
3/10/2008	08-1109	Alliance of Automobile Manufacturers v. EPA; No. 08-1109; D.C. Circuit	Alliance of Automobile Manufacturers	CAA	Dismissed following settlement	6/18/2009	\$0.00
3/11/2008	08-CV-00424	Sierra Club v. EPA; No. 1:08-CV-00424; D.C.	Sierra Club	CAA	Case pending	n/a	n/a
3/17/2008	08-1637	Sierra Club v. EPA; No. 08-1637; 7th Circuit	Sierra Club	CAA	Dismissed	5/20/2008	\$0.00

Suits under the CAA filed from 10/1/2005 through 10/13/2011

Date Opened	Lead (secondary)	Case Information	Plaintiffs/Petitioners	Statute	Outcome/ Disposition	Court Decision Date	Fees & Costs Paid *
3/18/2008	4:08-CV-00872	Desert Rock Energy Company, LLC, et al. v. EPA; No. 4:08-CV-00872; S.D. TX	Desert Rock Energy Company, LLC; The Dine Power Authority	CAA	Dismissed following settlement	6/9/2008	\$41,942.25
3/24/2008	08-1124	American Petroleum Institute v. EPA; No. 08-1124; D.C. Circuit	American Petroleum Institute	CAA	Stayed	n/a	n/a
3/24/2008	08-1127	Utility Air Regulatory Group v. EPA; No. 08-1127; D.C. Circuit	Utility Air Regulatory Group	CAA	Dismissed	8/26/2011	\$0.00
3/24/2008	(08-1127)	Air Liquide America v. EPA; No. 08-1129; D.C. Circuit	Air Liquide America	CAA	consolidated	consolidated	consolidated
3/25/2008	(06-75831)	Latino Issues Forum, et al. v. EPA; No. 08-71238; 9th Circuit	Latino Issues Forum; Medical Advocates for Healthy Air; Sierra Club	CAA	consolidated	consolidated	consolidated
5/5/2008	08-1178	State of California, et al. v. EPA; No. 08-1178; D.C. Circuit	California Air Resources Board; State of California	CAA	Dismissed	9/3/2009	\$0.00
5/5/2008	(08-1178)	State of New York, et al. v. EPA; No. 08-1179; D.C. Circuit	Commonwealth of Massachusetts; Commonwealth of Pennsylvania, Department of Environmental Protection; State of Arizona; State of Connecticut; State of Delaware; State of Illinois; State of Iowa; State of Maine; State of Maryland; State of Minnesota; State of New Jersey; State of New Mexico; State of New York; State of Oregon; State of Rhode Island; State of Vermont; State of Washington; State of Florida	CAA	consolidated	consolidated	consolidated
5/5/2008	(08-1178)	Natural Resources Defense Council, et al. v. EPA; No. 08-1180; D.C. Circuit	Chesapeake Bay Foundation; Conservation Law Foundation; International Center for Technology Assessment; Natural Resources Defense Council; Sierra Club; Environmental Defense Fund; Environment America; Environment California; Environment Colorado; Environment Connecticut; Environment Florida; Environment Georgia; Environment Illinois; Environment Iowa; Environment Maine; Environment Maryland; Environment Michigan; Environment Massachusetts; Environment New Hampshire; Environment New Jersey; Environment New Mexico; Environment North Carolina; Environment Ohio; Environment Rhode Island; Environment Texas; PennEnvironment; Wisconsin Environment; Environment Washington; Environment Oregon; Arizona PIRG; Washington Environmental Council; Climate Solutions; Oregon Wild; 3Estrategies; Angus Duncan; Center for Biological Diversity; Friends of the Earth; Oregon Environmental Council	CAA	consolidated	consolidated	consolidated

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Date Opened	Lead (secondary)	Case Information	Plaintiffs/Petitioners	Statute	Outcome/ Disposition	Court Decision Date	Fees & Costs Paid *
5/23/2008	08-1200	State of Mississippi, et al. v. EPA; No. 08-1200; D.C. Circuit	State of Mississippi; County of Nassau; Missouri Department of Natural Resources; State of Alabama; Province of Ontario National Association of Home Builders; Ozone NAAQS Litigation Group; New York City	CAA	Decided in EPA's favor	2/17/2010	\$0.00
5/27/2008	(08-1200)	American Lung Association, et al. v. EPA; No. 08-1203; D.C. Circuit	American Lung Association; Appalachian Mountain Club; Environmental Defense Fund; National Parks Conservation Association; Natural Resources Defense Council	CAA	consolidated	consolidated	consolidated
5/27/2008	(08-1200)	State of New York, et al. v. EPA; No. 08-1202; D.C. Circuit	California Air Resources Board; City of New York; Commonwealth of Massachusetts; Commonwealth of Pennsylvania; Department of Environmental Protection; District of Columbia; State of California; State of Connecticut; State of Delaware; State of Illinois; State of Maine; State of Maryland; State of New Hampshire; State of New Jersey; State of New Mexico; State of New York; State of Oregon; State of Rhode Island	CAA	consolidated	consolidated	consolidated
5/27/2008	(08-1200)	National Association of Home Builders v. EPA; No. 08-1206; D.C. Circuit	National Association of Home Builders	CAA	consolidated	consolidated	consolidated
5/27/2008	(08-1200)	Ozone NAAQS Litigation Group, et al. v. EPA; No. 08-1204; D.C. Circuit	Ozone NAAQS Litigation Group; Utility Air Regulatory Group	CAA	consolidated	consolidated	consolidated
5/29/2008	08-72288	Natural Resources Defense Council, et al. v. EPA; No. 08-72288; 9th Circuit	Coalition for a Safe Environment; Natural Resources Defense Council; East Yard Communities for Environmental Justice; Endangered Habitats League	CAA	Decided in EPA's favor	3/30/2011	\$0.00
6/12/2008	08-72528	State of Nevada, et al. v. EPA; No. 08-72528; 9th Circuit	State of Nevada, ex rel., Nevada Division of Environmental Protection	CAA	Dismissed	3/15/2011	\$0.00
6/20/2008	08-72642	Montana Sulphur & Chemical Co. v. EPA; No. 08-72642; 9th Circuit	Montana Sulphur & Chemical Co.	CAA	Case pending	n/a	n/a
6/20/2008	08-1225	State of North Carolina v. EPA; No. 08-1225; D.C. Circuit	State of North Carolina	CAA	Decided in EPA's favor	11/24/2009	\$0.00
6/26/2008	08-2582	State of Michigan, et al. v. EPA; No. 08-2582; 7th Circuit	Michigan Department of Environmental Quality; State of Michigan	CAA	Decided in EPA's favor	1/1/2009	\$0.00
6/27/2008	(07-1257)	Natural Resources Defense Council v. EPA; No. 08-1231; D.C. Circuit	Natural Resources Defense Council	CAA	consolidated	consolidated	consolidated
7/15/2008	08-1250	Natural Resources Defense Council, et al. v. EPA; No. 08-1250; D.C. Circuit	Natural Resources Defense Council; Sierra Club	CAA	Case pending	n/a	n/a
8/14/2008	1:08-CV-01422	Rocky Mountain Clean Air Action, et al. v. EPA; No. 1:08-CV-01422; D. D.C.	Rocky Mountain Clean Air Action; WildEarth Guardians	CAA	Dismissed following settlement	3/3/2009	\$8,526.02
8/19/2008	09-CV-00085-WOB	Sierra Club v. EPA; No. 2:09-CV-00085-WOB; E.D. KY	Sierra Club	CAA	Dismissed following CD	10/16/2009	\$0.00

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Date Opened	Lead (secondary)	Case Information	Plaintiffs/Petitioners	Statute	Outcome/ Disposition	Court Decision Date	Fees & Costs Paid *
8/21/2008	08-CV-1787	Colorado Citizens Against Toxic Waste, Inc, et al. v. EPA; No. 1:08-CV-1787; D. CO	Colorado Citizens Against Toxic Waste, Inc; Rocky Mountain Clean Air Action	CAA	Dismissed following settlement	8/21/2009	\$0.00
8/21/2008	08-1277	American Petroleum Institute, et al. v. EPA; No. 08-1277; D.C. Circuit	American Petroleum Institute; National Petrochemical & Refiners Association; Western States Petroleum Association	CAA	Dismissed following settlement	12/21/2010	\$0.00
8/25/2008	(08-1277)	Environmental Integrity Project, et al. v. EPA; No. 08-1281; D.C. Circuit	Environmental Integrity Project; Natural Resources Defense Council; Sierra Club	CAA	consolidated	consolidated	consolidated
8/25/2008	(08-1277)	Hovensa, LLC v. EPA; No. 08-1280; D.C. Circuit	Hovensa, LLC	CAA	consolidated	consolidated	consolidated
8/25/2008	(08-1277)	State of New York, et al. v. EPA; No. 08-1279; D.C. Circuit	City of New York; Commonwealth of Massachusetts; District of Columbia; State of California; State of Connecticut; State of Delaware; State of Maine; State of New Hampshire; State of New Mexico; State of New York; State of Oregon; State of Rhode Island; State of Vermont; State of Washington	CAA	consolidated	consolidated	consolidated
8/25/2008	08-CV-1491	BCCA Appeal Group, et al. v. EPA; No. 08-CV-1491; N.D. TX	BCCA Appeal Group; Texas Association of Business; Texas Oil and Gas Association	CAA	Case stayed pursuant to CD; fees pursuant to underlying litigation via settlement	5/21/2009	\$73,452.50
8/27/2008	(08-1277)	Lion Oil Company v. EPA; No. 08-1283; D.C. Circuit	Lion Oil Company	CAA	consolidated	consolidated	consolidated
9/5/2008	08-CV-1545	Sierra Club v. EPA; No. 08-CV-1545; D. D.C.	Sierra Club	CAA	Closed and transferred	6/8/2009	\$0.00
10/15/2008	08-74340	El Comite Para El Bienestar De Earlimart, et al. v. EPA; No. 08-74340; 9th Circuit	Association of Irrigated Residents; El Comite Para El Bienestar De Earlimart; Community & Children's Advocates Against Pesticide Poisoning; Ventura Coastkeeper; Wishtoyo Foundation; Coalition For Clean Air	CAA	Case pending	n/a	n/a
10/21/2008	08-CV-1795	Environmental Defense Fund, et al. v. EPA; No. 08-CV-1795; D. D.C.	Environmental Defense Fund; National Parks Conservation Association	CAA	Dismissed	1/15/2009	\$0.00
10/22/2008	08-CV-1803	Mossville Environmental Action Now, et al. v. EPA; No. 08-CV-1803; D. D.C.	Louisiana Environmental Action Network; Mossville Environmental Action Now; Sierra Club	CAA	Case stayed pursuant to CD; fees pursuant to underlying litigation via settlement	10/30/2009	\$8,000.00
10/29/2008	08-1327	State of Nevada v. EPA, No. 08-1327; D.C. Circuit	State of Nevada	CAA	Held in abeyance	n/a	n/a
11/14/2008	08-C-664	Sierra Club v. EPA; No. 08-C-664; W.D. WI	Sierra Club	CAA	Dismissed following Settlement	6/2/2009	\$2,787.06
11/17/2008	08-CV-1999	Sierra Club, et al. v. EPA; No. 1:08-CV-1999; D. D.C.	Center for Biological Diversity; Hilary Lambert; Preston Forsythe; Sierra Club	CAA	Case stayed pursuant to CD	6/1/2009	\$0.00
12/4/2008	08-CV-2112	Sierra Club, et al. v. EPA; No. 08-CV-2112; D. D.C.	National Parks Conservation Association; Natural Resources Defense Council; Sierra Club; Valley Watch; Kentucky Environmental Foundation	CAA	Dismissed	8/17/2009	\$0.00
12/8/2008	08-1381	American Road & Transportation Builders Association v. EPA; No. 08-1381; D.C. Circuit	American Road & Transportation Builders Association	CAA	Decided in EPA's favor	12/11/2009	\$0.00

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Date Opened	Lead (secondary)	Case Information	Plaintiffs/Petitioners	Statute	Outcome/ Disposition	Court Decision Date	Fees & Costs Paid *
12/12/2008	08-16961	Alabama Environmental Council v. EPA; No. 08-16961; 11th Circuit	Alabama Environmental Council	CAA	Case pending	n/a	n/a
12/18/2008	4:08-CV-5650	Association of Irrigated Residents v. EPA; No. 4:08-CV-5650; N.D. CA	Association of Irrigated Residents	CAA	Dismissed following CD	9/8/2009	\$11,500.00
12/18/2008	1:08-cv-2198	American Nurses Association v. EPA, No. 1:08-cv-2198	American Nurses Association; Chesapeake Bay Foundation; Conservation Law Foundation; Environmental Defense Fund; Izaak Walton League of America; Natural Resources Council of Maine; Natural Resources Defense Council; Physicians for Social Responsibility; Sierra Club; The Ohio Environmental Council; Waterkeeper Alliance, Inc.; Environment America	CAA	Dismissed following settlement	4/15/2010	\$0.00
12/22/2008	08-4818	State of New Jersey v. EPA; No. 08-4818; 3rd Circuit	Department of Environmental Protection State of New Jersey	CAA	Dismissed following settlement	3/1/2010	\$0.00
12/22/2008	08-1392	Sierra Club v. EPA; No. 08-1392; D.C. Circuit	Sierra Club	CAA	EPA sought and the Court granted a voluntary remand.	8/14/2009	\$1,150.00
12/22/2008	(08-1392)	Coalition for Responsible Waste Incineration v. EPA; No. 08-1396; D.C. Circuit	Coalition for Responsible Waste Incineration	CAA	consolidated	consolidated	consolidated
12/31/2008	08-CV-02253	WildEarth Guardians v. EPA; No. 08-CV-02253; D. D.C.	WildEarth Guardians	CAA	Dismissed following settlement	9/8/2009	\$4,884.00
1/12/2009	09-1009	Missouri Coalition for the Environment, et al. v. EPA; No. 09-1009; D.C. Circuit	Missouri Coalition for the Environment; Natural Resources Defense Council; Physicians for Social Responsibility; Coalition to End Childhood Lead Poisoning	CAA	Dismissed	4/1/2011	\$0.00
1/12/2009	09-1011	Coalition of Battery Recyclers Association v. EPA; No. 09-1011; D.C. Circuit	Coalition of Battery Recyclers Association	CAA	Decided in EPA's favor	5/14/2010	\$0.00
1/12/2009	(09-1011)	Doe Run Resources Corporation v. EPA; No. 09-1012; D.C. Circuit	Doe Run Resources Corporation	CAA	consolidated	consolidated	consolidated
1/12/2009	09-70113	Latino Issues Forum, et al. v. EPA; No. 09-70113; 9th Circuit	Latino Issues Forum; Medical Advocates for Healthy Air; Sierra Club	CAA	Dismissed	4/8/2009	\$0.00
1/13/2009	4:09-CV-152	Sierra Club v. EPA; No. 4:09-CV-152; N.D. CA	Sierra Club	CAA	Case stayed pursuant to CD	7/6/2010	n/a
1/14/2009	1:09-CV-00088	Environmental Integrity Project, et al. v. EPA; No. 1:09-CV-00088; D. D.C.	Citizens for Environmental Justice; Environmental Integrity Project; Refinery Reform Campaign	CAA	Dismissed following settlement	3/16/2009	\$4,500.00
1/14/2009	1:09-CV-00089	WildEarth Guardians, et al. v. EPA; No. 1:09-CV-00089; D. D.C.	San Juan Citizens Alliance; WildEarth Guardians	CAA	Case stayed pursuant to CD; fees pursuant to underlying litigation via settlement	2/4/2010	\$32,000.00
1/14/2009	1:09-CV-00087	Environmental Integrity Project v. EPA; No. 1:09-CV-00087; D. D.C.	Environmental Integrity Project	CAA	Dismissed following settlement	3/19/2009	\$4,500.00
1/15/2009	09-1018	Sierra Club, et al. v. EPA; No. 09-1018; D.C. Circuit	Environmental Defense Fund Natural Resources Defense Council Sierra Club	CAA	Held in abeyance	n/a	n/a
2/4/2009	1:09-CV-00218	Environmental Integrity Project, et al. v. EPA; No. 1:09-CV-00218; D. D.C.	Environmental Integrity Project; Sierra Club	CAA	Case stayed pursuant to CD; fees pursuant to underlying litigation via settlement	2/5/2010	\$8,000.00

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2/17/2009	09-1065	Natural Resources Defense Council v. EPA; No. 09-1065; D.C. Circuit	Natural Resources Defense Council	CAA	Case pending	n/a	n/a
2/17/2009	09-1405	Natural Resources Defense Council, et al. v. EPA; No. 09-1405; 7th Circuit	Natural Resources Defense Council; Sierra Club	CAA	Decided in EPA's favor	6/16/2011	\$0.00
2/17/2009	1:09-CV-00312	Sierra Club, et al. v. EPA; No. 1:09-CV-00312; D. D.C.	Sierra Club; Valley Watch	CAA	Dismissed following CD	11/3/2009	\$2,847.64
3/2/2009	3:09-CV-00122	Sierra Club v. EPA; No. 3:09-CV-00122; W.D. WI	Sierra Club	CAA	Case stayed pursuant to CD; fees pursuant to underlying litigation via settlement	9/22/2009	\$2,057.54
3/2/2009	(09-1018)	People of the State of California v. EPA; No. 09-1088; D.C. Circuit	People of the State of California	CAA	consolidated	consolidated	consolidated
3/2/2009	09-1085	American Petroleum Institute, et al. v. EPA; No. 09-1085; D.C. Circuit	American Petroleum Institute; National Petrochemical & Refiners Association	CAA	Dismissed	6/21/2010	\$0.00
3/2/2009	(09-1085)	Tesoro Refining and Marketing Company v. EPA; No. 09-1086; D.C. Circuit	Tesoro Refining and Marketing Company	CAA	consolidated	consolidated	consolidated
3/2/2009	09-11009-C	Louisiana-Pacific Corporation v. EPA; No. 09-11009-C; 11th Circuit	Louisiana-Pacific Corporation	CAA	Case pending	n/a	n/a
3/4/2009	09-1090	American Trucking Associations, et al. v. EPA; No. 09-1090; D.C. Circuit	American Trucking Associations; Truckload Carriers Association	CAA	Decided in EPA's favor	4/2/2010	\$0.00
3/13/2009	(08-1250)	Natural Resources Defense Council, et al. v. EPA; No. 09-1102; D.C. Circuit	Natural Resources Defense Council; Sierra Club	CAA	consolidated	consolidated	consolidated
3/16/2009	09-1103	Natural Resources Defense Council v. EPA; No. 09-1103; D.C. Circuit	Natural Resources Defense Council	CAA	Held in abeyance	n/a	n/a
3/27/2009	09-1111	Utility Air Regulatory Group v. EPA; No. 09-1111; D.C. Circuit	Utility Air Regulatory Group	CAA	Held in abeyance	n/a	n/a
3/31/2009	09-1113	Navistar, Inc v. EPA; No. 09-1113; D.C. Circuit	Navistar, Inc	CAA	Dismissed following settlement	8/5/2010	\$0.00
3/31/2009	(09-1113)	Navistar, Inc v. EPA; No. 09-1114; D.C. Circuit	Navistar, Inc	CAA	consolidated	consolidated	consolidated
4/6/2009	09-11713	Alabama Power Co. v. EPA; No. 09-11713; 11th Circuit	Alabama Power Co.	CAA	Dismissed	9/30/2009	\$0.00
4/7/2009	09-60246	Aspen Power LLC v. EPA; No. 09-60246; 5th Circuit	Aspen Power LLC	CAA	Dismissed	1/4/2010	\$0.00
4/30/2009	4:09-CV-1890	Association of Irrigated Residents v. EPA; No. 4:09-CV-1890; N.D. CA	Association of Irrigated Residents	CAA	Dismissed following CD	12/30/2009	\$16,500.00
5/8/2009	09-71383	Association of Irrigated Residents, et al. v. EPA; No. 09-71383; 9th Circuit	Association of Irrigated Residents; El Comite Para El Bienestar De Earlimart; Communities and Children's Advocates Against Pesticide Poisoning	CAA	Decided in Petitioners' favor	2/2/2011	\$1,538.96
5/11/2009	(09-71383)	Natural Resources Defense Council v. EPA; No. 09-71404; 9th Circuit	Natural Resources Defense Council	CAA	consolidated	consolidated	consolidated
6/1/2009	1:09-CV-1028	Sierra Club v. EPA; No. 1:09-CV-1028; D. D.C.	Sierra Club	CAA	Dismissed following CD	11/14/2009	\$4,000.00
6/2/2009	1:09-CV-1025	Environmental Integrity Project, et al. v. EPA; No. 1:09-CV-1025; D. D.C.	Environmental Integrity Project; Sierra Club	CAA	Dismissed following settlement	11/24/2009	\$6,312.83

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6/3/2009	4:09-CV-2453	WildEarth Guardians v. EPA; No. 4:09-CV-2453; N.D. CA	WildEarth Guardians	CAA	Case stayed pursuant to CD; fees pursuant to underlying litigation via settlement	2/23/2010	\$22,420.00
7/2/2009	09-2937)	Ocean County Landfill Corp. v. EPA; No. 09-2937; 3rd Circuit	Ocean County Landfill Corp.	CAA	Decided in EPA's favor	2/2/2011	\$0.00
7/10/2009	09-9538)	Questar Exploration and Production Company v. EPA; No. 09-9538; 10th Circuit	Questar Exploration and Production Company	CAA	Dismissed	6/20/2011	\$0.00
7/10/2009	09-1198	Natural Resources Defense Council, et al. v. EPA; No. 09-1198; D.C. Circuit	Natural Resources Defense Council; State of New Jersey	CAA	Held in abeyance	n/a	n/a
7/17/2009	1:09-CV-01333	Louisiana Environmental Action Network v. EPA; No. 1:09-CV-01333; D. D.C.	Louisiana Environmental Action Network	CAA	Dismissed following settlement	11/23/2010	\$0.00
8/19/2009	1:09-CV-01964	WildEarth Guardians v. EPA; No. 1:09-CV-01964; D. CO	WildEarth Guardians	CAA	Dismissed following CD	3/22/2010	\$3,520.00
9/3/2009	4:09-CV-04095	Comite Civico Del Valle, Inc v. EPA; No. 4:09-CV-04095; N.D. CA	Comite Civico Del Valle, Inc	CAA	Dismissed following CD	1/29/2010	\$33,000.00
9/3/2009	09-CV-02109	WildEarth Guardians v. EPA; No. 09-CV-02109; D. CO	WildEarth Guardians	CAA	Case stayed pursuant to CD; fees pursuant to underlying litigation via settlement	3/9/2010	\$4,588.50
9/8/2009	09-1237	Chambers of Commerce of the USA, et al. v. EPA; No. 09-1237; D.C. Circuit	Chambers of Commerce of the USA; National Automobile Dealers Association	CAA	Decided in EPA's favor	4/29/2011	\$0.00
9/9/2009	1:09-CV-2148	WildEarth Guardians v. EPA; No. 1:09-CV-2148; D. CO	WildEarth Guardians	CAA	Case stayed pursuant to CD; fees pursuant to underlying litigation via settlement	2/2/2010	\$16,000.00
10/9/2009	09-1256	Natural Resources Defense Council v. EPA; No. 09-1256; D.C. Circuit	Natural Resources Defense Council	CAA	Case pending	n/a	n/a
10/13/2009	1:09-CV-1943	Louisiana Environmental Action Network v. EPA; No. 1:09-CV-1943; D. D.C.	Louisiana Environmental Action Network	CAA	Dismissed following settlement	4/28/2010	\$5,000.00
11/4/2009	1:09-CV-2089	Sierra Club, et al. v. EPA; No. 1:09-CV-2089; D. D.C.	Sierra Club; Valley Watch	CAA	Dismissed	7/20/2010	\$0.00
11/16/2009	09-9561)	ATK Launch Systems, Inc. v. EPA; No. 09-9561; 10th Circuit	ATK Launch Systems, Inc.	CAA	Case pending	n/a	n/a
11/20/2009	09-1287	Utility Air Regulatory Group v. EPA; No. 09-1287; D.C. Circuit	Utility Air Regulatory Group	CAA	Dismissed	8/27/2010	\$0.00
11/20/2009	(09-1287)	National Environmental Development Association's Clean Air Project v. EPA; No. 09-1288; D.C. Circuit	National Environmental Development Association's Clean Air Project	CAA	consolidated	consolidated	consolidated
11/23/2009	(09-1287)	Mirant California, LLC, et al. v. EPA; No. 09-1291; D.C. Circuit	Mirant California, LLC; Mirant Marsh Landing, LLC; Mirant Willow Pass, LLC	CAA	consolidated	consolidated	consolidated
12/2/2009	2:09-CV-2511	Sandra L. Bahr, et al. v. EPA; No. 2:09-CV-2511; D. AZ	David Matusow; Diane E. Brown; Sandra L. Bahr	CAA	Dismissed following CD	9/8/2010	\$12,003.00
12/7/2009	09-1297	Medical Waste Institute, et al. v. EPA; No. 09-1297; D.C. Circuit	Medical Waste Institute; Energy Recovery Council	CAA	Decided partly in EPA's favor and dismissed in part	6/24/2011	\$0.00
12/7/2009	1:09-CV-2322	Environmental Integrity Project, et al. v. EPA; No. 1:09-CV-2322; D. D.C.	Environmental Integrity Project; Environment Maryland	CAA	Dismissed following settlement	6/24/2010	\$6,100.00

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12/7/2009	09-1300	Portland Cement Association v. EPA; No. 09-1300; D.C. Circuit	Portland Cement Association	CAA	Held in abeyance	n/a	n/a
12/7/2009	(09-1300)	Utility Air Regulatory Group v. EPA; No. 09-1299; D.C. Circuit	Utility Air Regulatory Group	CAA	consolidated	consolidated	consolidated
12/7/2009	(09-1300)	Sierra Club v. EPA; No. 09-1301; D.C. Circuit	Sierra Club	CAA	consolidated	consolidated	consolidated
12/11/2009	09-1303	Aluminum Association v. EPA; No. 09-1303; D.C. Circuit	Aluminum Association	CAA	Dismissed	7/14/2010	\$0.00
12/15/2009	09-1313	American Forest & Paper Association, Inc. v. EPA; No. 09-1313; D.C. Circuit	American Forest & Paper Association, Inc.	CAA	Dismissed	12/1/2010	\$0.00
12/15/2009	09-1311	American Forest & Paper Association, Inc. v. EPA; No. 09-1311; D.C. Circuit	American Forest & Paper Association, Inc.	CAA	Held in abeyance	n/a	n/a
12/15/2009	09-1312	American Forest & Paper Association, Inc. v. EPA; No. 09-1312; D.C. Circuit	American Forest & Paper Association, Inc.	CAA	Held in abeyance	n/a	n/a
12/16/2009	3:09-CV-751	Sierra Club v. EPA; No. 3:09-CV-751; W.D. WI	Sierra Club	CAA	Dismissed following CD	6/28/2010	\$2,624.71
12/18/2009	09-1318	Arkema Inc. v. EPA; No. 09-1318; D.C. Circuit	Arkema Inc.	CAA	Decided partly in EPA's favor and part of rule vacated	8/27/2010	\$0.00
12/22/2009	1:09-CV-2980	WildEarth Guardians v. EPA; No. 1:09-CV-2980; D. CO	WildEarth Guardians	CAA	Voluntarily dismissed by Plaintiff	2/22/2010	\$0.00
12/23/2009	09-1323	American Petroleum Institute v. EPA; No. 09-1323; D.C. Circuit	American Petroleum Institute	CAA	Held in abeyance	n/a	n/a
12/23/2009	09-1324	American Chemistry Council, et al. v. EPA; No. 09-1324; D.C. Circuit	American Chemistry Council; Society of Chemical Manufacturers and Affiliates	CAA	Case pending	n/a	n/a
12/23/2009	09-1322	Coalition for Responsible Regulation, Inc., et al. v. EPA; No. 09-1322; D.C. Circuit	Coalition for Responsible Regulation, Inc.; Industrial Minerals Association - North America National; Cattlemen's Beef Association; Great Northern Project Development, L.P.; Rosebud Mining Company; Massey Energy Company; Alpha Natural Resources, Inc.	CAA	Case pending	n/a	n/a
12/28/2009	09-1317	Navistar, Inc v. EPA; No. 09-1317; D.C. Circuit	Navistar, Inc	CAA	Dismissed following settlement	8/5/2010	\$0.00
12/28/2009	09-1326	Energy Recovery Council v. EPA; No. 09-1326; D.C. Circuit	Energy Recovery Council	CAA	Dismissed	3/8/2011	\$0.00
12/28/2009	09-1325	American Chemistry Council v. EPA; No. 09-1325; D.C. Circuit	American Chemistry Council	CAA	Dismissed following settlement	7/15/2010	\$0.00
12/28/2009	09-1328	American Petroleum Institute, et al. v. EPA; No. 09-1328; D.C. Circuit	American Petroleum Institute; National Petrochemical & Refiners Association	CAA	Dismissed following settlement	3/8/2011	\$3,840.00
12/29/2009	09-1329	Fertilizer Institute v. EPA; No. 09-1329; D.C. Circuit	Fertilizer Institute	CAA	Dismissed	3/8/2011	\$0.00
12/29/2009	09-1331	American Public Gas Association v. EPA; No. 09-1331; D.C. Circuit	American Public Gas Association	CAA	Dismissed	3/8/2011	\$0.00
12/29/2009	09-1332	Kinder Morgan CO2 Co., LP v. EPA; No. 09-1332; D.C. Circuit	Kinder Morgan CO2 Co., LP	CAA	Held in abeyance	n/a	n/a
12/29/2009	(09-1332)	Utility Air Regulatory Group v. EPA; No. 09-1333; D.C. Circuit	Utility Air Regulatory Group	CAA	consolidated	consolidated	consolidated

Suits under the CAA filed from 10/1/2005 through 10/13/2011

Date Opened	Lead (secondary)	Case Information	Plaintiffs/Petitioners	Statute	Outcome/ Disposition	Court Decision Date	Fees & Costs Paid *
12/29/2009	09-1334	Environmental Defense Fund v. EPA; No. 09-1334; D.C. Circuit	Environmental Defense Fund	CAA	Dismissed	3/8/2011	\$0.00
12/30/2009	(09-1318)	Solvay Fluorides, LLC; Solvay Solexis, Inc. v. EPA; No. 09-1335; D.C. Circuit	Solvay Fluorides, LLC Solvay Solexis, Inc.	CAA	consolidated	consolidated	consolidated
1/8/2010	(09-9561)	Tooele County Utah, et al. v. EPA; No. 10-9501; 10th Circuit	Tooele County Utah; Tooele City Corporation; Grantsville City Corporation	CAA	consolidated	consolidated	consolidated
1/11/2010	(09-9561)	Box Elder County, Utah, et al. v. EPA; No. 10-9502; 10th Circuit	Box Elder County, Utah; Brigham City Corporation, Utah	CAA	consolidated	consolidated	consolidated
1/12/2010	10-1004	ATK Launch Systems, Inc. v. EPA; No. 10-1004; D.C. Circuit	ATK Launch Systems, Inc.	CAA	Case pending	n/a	n/a
1/12/2010	(10-1004)	Box Elder County, Utah, et al. v. EPA; No. 10-1005; D.C. Circuit	Box Elder County, Utah; Brigham City Corporation, Utah	CAA	consolidated	consolidated	consolidated
1/12/2010	(10-1004)	Tooele County Utah, et al. v. EPA; No. 10-1006; D.C. Circuit	Grantsville City Corporation; Tooele City Corporation; Tooele County Utah	CAA	consolidated	consolidated	consolidated
1/20/2010	1:10-CV-466	Environmental Defense Fund v. EPA; No. 1:10-CV-466; S.D. NY	Environmental Defense Fund	CAA	Dismissed	1/10/2011	\$0.00
1/22/2010	1:10-CV-133	Sierra Club et al. v. EPA; No. 1:10-133; D. D.C.	Sierra Club; WildEarth Guardians	CAA	Case stayed pursuant to CD; fees pursuant to underlying litigation via settlement	7/14/2010	\$8,000.00
1/29/2010	1:10-165	Environmental Integrity Project, et al. v. EPA; No. 1:10-CV-165; D. D.C.	Environmental Integrity Project; Baltimore Harbor Waterkeeper, Inc; Clean Water Action; Chesapeake Climate Action Network	CAA	Dismissed following CD	4/14/2010	\$0.00
2/8/2010	10-1049	William Orr v. EPA; No. 10-; D.C. Circuit	William Orr	CAA	Case pending	n/a	n/a
2/12/2010	(09-1322)	National Mining Association v. EPA; No. 10-1024; D.C. Circuit	National Mining Association	CAA	consolidated	consolidated	consolidated
2/12/2010	(09-1322)	Peabody Energy Company v. EPA; No. 10-1025; D.C. Circuit	Peabody Energy Company	CAA	consolidated	consolidated	consolidated
2/12/2010	(09-1322)	American Farm Bureau Federation v. EPA; No. 10-1026; D.C. Circuit	American Farm Bureau Federation	CAA	consolidated	consolidated	consolidated
2/12/2010	(09-1322)	Chambers of Commerce of the USA v. EPA; No. 10-1030; D.C. Circuit	Chambers of Commerce of the USA	CAA	consolidated	consolidated	consolidated
2/12/2010	(09-1322)	Commonwealth of Virginia v. EPA; No. 10-1036; D.C. Circuit	Commonwealth of Virginia	CAA	consolidated	consolidated	consolidated
2/12/2010	(09-1322)	Gerdau Ameristeel Corp. v. EPA; No. 10-1037; D.C. Circuit	Gerdau Ameristeel Corp.	CAA	consolidated	consolidated	consolidated
2/12/2010	(09-1322)	Alliance for Natural Climate Change Science, et al. v. EPA; No. 10-1049; D.C. Circuit	Alliance for Natural Climate Change Science; William Orr	CAA	consolidated	consolidated	consolidated

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Date Opened	Lead (secondary)	Case Information	Plaintiffs/Petitioners	Statute	Outcome/ Disposition	Court Decision Date	Fees & Costs Paid *
2/12/2010	(09-1322)	Southeastern Legal Foundation, Inc., et al. v. EPA; No. 10-1035; D.C. Circuit	Southeastern Legal Foundation, Inc.; The Langdale Company; Langdale Forest Products Company; Langdale Farms, LLC; Langdale Fuel Company; Langdale Chevrolet-Pontiac, Inc.; Langdale Ford Company; Langboard, Inc. - MDF; Langboard, Inc. - MDF; Langdale, Inc. - OSB; Georgia Motor Trucking Association, Inc.; Collins Industries, Inc.; Collins Trucking Company, Inc.; Kennesaw Transportation, Inc.; J & M Tank Lines, Inc.; Southeast Trailer Mart, Inc.; Horizon Freight System, Inc.; Georgia Agribusiness Council, Inc.; John Linder, U.S. Representative, Georgia 7th District; Dana Rohrabacher, U.S. Representative, California 46th District; John Shimkus, U.S. Representative, Illinois 19th District; Phil Gingrey, U.S. Representative, Georgia 11th District; Lynn Westmoreland, U.S. Representative, Georgia 3rd District; Tom Price, U.S. Representative, Georgia 6th District; Paul Broun, U.S. Representative, Georgia 10th District; Steven King, U.S. Representative, Iowa 5th District; Nathan Deal, U.S. Representative, Georgia 9th District; Jack Kingston, U.S. Representative, Georgia 1st District; Michele Bachmann, U.S. Representative, Minnesota 6th District; Kevin Brady, U.S. Representative, Texas 8th District	CAA	consolidated	consolidated	consolidated
2/16/2010	(09-1322)	American Iron and Steel Institute v. EPA; No. 10-1038; D.C. Circuit	American Iron and Steel Institute	CAA	consolidated	consolidated	consolidated
2/16/2010	(09-1322)	State of Alabama v. EPA; No. 10-1039; D.C. Circuit	State of Alabama	CAA	consolidated	consolidated	consolidated
2/16/2010	(09-1322)	Ohio Coal Association v. EPA; No. 10-1040; D.C. Circuit	Ohio Coal Association	CAA	consolidated	consolidated	consolidated
2/16/2010	(09-1322)	State of Texas, et al. v. EPA; No. 10-1041; D.C. Circuit	State of Texas; Greg Abbott, Attorney General of Texas; Texas Commission on Environmental Quality; Texas Agriculture Commission; Barry Smitherman, Chairman of Texas Public Utility Commission; Rick Perry, Governor of Texas	CAA	consolidated	consolidated	consolidated
2/16/2010	(09-1322)	Utility Air Regulatory Group v. EPA; No. 10-1042; D.C. Circuit	Utility Air Regulatory Group	CAA	consolidated	consolidated	consolidated
2/16/2010	(09-1322)	Portland Cement Association v. EPA; No. 10-1046; D.C. Circuit	Portland Cement Association	CAA	consolidated	consolidated	consolidated

Suits under the CAA filed from 10/1/2005 through 10/13/2011

Date Opened	Lead (secondary)	Case Information	Plaintiffs/Petitioners	Statute	Outcome/ Disposition	Court Decision Date	Fees & Costs Paid *
2/16/2010	(09-1322)	National Association of Manufacturers, et al. v. EPA; No. 10-1044; D.C. Circuit	National Association of Manufacturers; American Petroleum Institute; Brick Industry Association; Corn Refiners Association, Inc.; National Association of Home Builders; National Oilseed Processors Association; National Petrochemical & Refiners Association; Western States Petroleum Association	CAA	consolidated	consolidated	consolidated
2/16/2010	(09-1322)	Competitive Enterprise Institute, et al. v. EPA; No. 10-1045; D. D.C.	Competitive Enterprise Institute; FreedomWorks Foundation; Science and Environmental Policy Project	CAA	consolidated	consolidated	consolidated
3/5/2010	10-1056	Natural Resources Defense Council v. EPA; No. 10-1056; D.C. Circuit	Natural Resources Defense Council	CAA	Vacated	7/1/2011	\$0.00
3/5/2010	10-00946	Comite Civico Del Valle, Inc v. EPA; No. 10-00946; N.D. CA	Comite Civico Del Valle, Inc.	CAA	Case stayed pursuant to CD; fees pursuant to underlying litigation via settlement	8/31/2010	\$18,082.50
3/9/2010	1:10-CV-383	Avenal Power Center v. EPA; No. 1:10-CV-383; D. D.C.	Avenal Power Center	CAA	Decided partly in EPA's favor and partly in Plaintiff's favor	5/26/2011	\$200,000.00
3/12/2010	3:10-CV-127	Sierra Club v. EPA; No. 3:10-CV-127; W.D. WI	Sierra Club	CAA	Case stayed pursuant to CD; fees pursuant to underlying litigation via settlement	8/16/2010	\$3,223.38
3/16/2010	2:10-CV-00161	Snyder Computer Systems d.b.a. Wildfire Motors v. DOT/DHS/EPA; No. 2:10-CV-00161; S.D. OH	Snyder Computer Systems d.b.a. Wildfire Motors	CAA	Dismissed	11/9/2011	\$0.00
3/29/2010	10-1070	National Petrochemical & Refiners Association v. EPA; No. 10-1070; D.C. Circuit	National Petrochemical & Refiners Association	CAA	Decided in EPA's favor	12/21/2010	\$0.00
3/29/2010	(10-1070)	American Petroleum Institute v. EPA; No. 10-1071; D.C. Circuit	American Petroleum Institute	CAA	consolidated	consolidated	consolidated
3/30/2010	10-70994	Tesoro Refining and Marketing Company v. EPA; No. 10-70994; 9th Circuit	Tesoro Refining and Marketing Company	CAA	Dismissed	12/8/2010	\$0.00
3/30/2010	(10-70994)	American Petroleum Institute, et al. v. EPA; No. 10-70997; 9th Circuit	American Petroleum Institute; National Petrochemical & Refiners Association	CAA	consolidated	consolidated	consolidated
4/2/2010	10-1073	Coalition for Responsible Regulation, Inc., et al. v. EPA; No. 10-1073; D.C. Circuit	Alpha Natural Resources, Inc.; Coalition for Responsible Regulation, Inc.; Great Northern Project Development, L.P.; Industrial Minerals Association - North America; National Cattlemen's Beef Association; Rosebud Mining Company	CAA	Case pending	n/a	n/a
4/12/2010	10-1079	American Petroleum Institute, et al. v. EPA; No. 10-1079; D.C. Circuit	American Petroleum Institute; Utility Air Regulatory Group	CAA	Case pending	n/a	n/a
4/12/2010	(10-1079)	Interstate Natural Gas Association of America v. EPA; No. 10-1080; D.C. Circuit	Interstate Natural Gas Association of America	CAA	consolidated	consolidated	consolidated

Suits under the CAA filed from 10/1/2005 through 10/13/2011

Date Opened	Lead (secondary)	Case Information	Plaintiffs/Petitioners	Statute	Outcome/ Disposition	Court Decision Date	Fees & Costs Paid *
4/15/2010	(10-1073)	Southeastern Legal Foundation, Inc., et al. v. EPA; No. 10-1083; D.C. Circuit	Company; Langdale Forest Products Company; Langdale Farms, LLC; Langdale Fuel Company; Langdale Chevrolet-Pontiac, Inc.; Langdale Ford Company; Langboard, Inc. - MDF; Langboard, Inc. - OSB; Georgia Motor Trucking Association, Inc.; Collins Industries, Inc.; Collins Trucking Company, Inc.; Kennesaw Transportation, Inc.; J&M Tank Lines, Inc.; Southeast Trailer Mart, Inc.; Georgia Agribusiness Council, Inc.; John Linder, U.S. Representative, Georgia 7th District; Dana Rohrabacher, U.S. Representative, California 46th District; John Shimkus, U.S. Representative, Illinois 19th District; Phil Gingrey, U.S. Representative, Georgia 11th District; Lynn Westmoreland, U.S. Representative, Georgia 3rd District; Tom Price, U.S. Representative, Georgia 6th District; Paul Broun, U.S. Representative, 10th District; Steve King, U.S. Representative, Iowa 5th District; Nathan Deal, U.S. Representative, Georgia 9th District; Jack Kingston, U.S. Representative, Georgia 1st District; Michele Bachmann, U.S. Representative, Minnesota 6th District; Kevin Brady, U.S. Representative, Texas 8th District; John Shadegg, U.S. Representative, Arizona 3rd District; Marsha Blackburn, U.S. Representative, Tennessee 7th District; Dan Burton, U.S. Representative, Indiana 5th District	CAA	consolidated	consolidated	consolidated
4/15/2010	2:10-CV-00161	Snyder Computer Systems, Inc. v. EPA; No. 2:10-CV-00161; S.D. OH	Snyder Computer Systems, Inc.	CAA	Dismissed	8/10/2010	\$0.00
4/19/2010	3:10-CV-292	American Bottom Conservancy v. EPA; No. 3:10-CV-292; S.D. IL	American Bottom Conservancy	CAA	Dismissed following CD	7/15/2010	\$3,840.00
4/26/2010	10-3510	Natural Resources Defense Council v. EPA; No. 10-3510; 6th Circuit	Natural Resources Defense Council	CAA	Case pending	n/a	n/a
4/29/2010	3:10-CV-1846	Center for Biological Diversity v. EPA; No. 3:10-CV-1846; N.D. CA	Center for Biological Diversity	CAA	Dismissed following settlement	2/3/2011	\$0.00
4/29/2010	10-71396	Robert Simpson v. EPA, et al.; No. 10-71396; 9th Circuit	Robert Simpson	CAA	Dismissed	6/23/2010	\$0.00
5/3/2010	10-1090	EnerNOC, Inc., et al. v. EPA; No. 10-1090; D.C. Circuit	EnerNOC, Inc.; EnergyConnect, Inc.; CPower, Inc.; Innoventive Power, LLC	CAA	Held in abeyance	n/a	n/a
5/6/2010	3:10-CV-1954	Sierra Club, et al. v. EPA; No. 3:10-CV-1954; N.D. CA	Medical Advocates for Healthy Air; Sierra Club	CAA	Case stayed pursuant to CD; fees pursuant to underlying litigation via settlement	1/11/2011	\$11,507.00
5/6/2010	10-71457	Sierra Club, et al. v. EPA; No. 10-71457; 9th Circuit	Medical Advocates for Healthy Air; Sierra Club	CAA	Decided in Petitioner's favor	1/20/2012	\$321.50
5/6/2010	(10-71457)	Committee for a Better Arvin, et al. v. EPA; No. 10-71458; 9th Circuit	Committee for a Better Arvin; Comite Residentes Organizados Al Servicio del Ambiente Sano; Association of Irrigated Residents	CAA	consolidated	consolidated	consolidated

Suits under the CAA filed from 10/1/2005 through 10/13/2011

Date Opened	Lead (secondary)	Case Information	Plaintiffs/Petitioners	Statute	Outcome/ Disposition	Court Decision Date	Fees & Costs Paid *
5/7/2010	10-1092	Coalition for Responsible Regulation, Inc., et al. v. EPA; No. 10-1092; D.C. Circuit	Alpha Natural Resources, Inc.; Coalition for Responsible Regulation, Inc.; Great Northern Project Development, L.P.; Industrial Minerals Association - North America; National Cattlemen's Beef Association; Rosebud Mining Company	CAA	Case pending	n/a	n/a
5/7/2010	(09-1405)	Natural Resources Defense Council, et al. v. EPA; No. 10-2123; 7th Circuit	Natural Resources Defense Council; Sierra Club	CAA	consolidated	consolidated	consolidated
5/11/2010	(10-1092)	Southeastern Legal Foundation, Inc., et al. v. EPA; No. 10-1094; D.C. Circuit	Langdale Forest Products Company; Southeastern Legal Foundation, Inc.	CAA	consolidated	consolidated	consolidated
5/17/2010	(10-1073)	Clean Air Implementation Project v. EPA; No. 10-1099; D.C. Circuit	Clean Air Implementation Project	CAA	consolidated	consolidated	consolidated
5/21/2010	1:10-CV-859	Sierra Club v. EPA; No. 1:10-CV-859; D. C.	Sierra Club	CAA	Dismissed following CD	2/22/2011	\$4,250.00
5/24/2010	1:10-CV-889	Kentucky Environmental Foundation, et al. v. EPA; No. 1:10-CV-889; D. D.C.	Kentucky Environmental Foundation; Sierra Club	CAA	Dismissed following CD	1/14/2011	\$6,387.35
5/24/2010	10-1105	Natural Resources Defense Council, et al. v. EPA; No. 10-1105; D.C. Circuit	East Yard Communities for Environmental Justice; Natural Resources Defense Council Sierra Club	CAA	Decided in EPA's favor	1/5/2012	\$0.00
5/25/2010	10-1106	Pinnacle Ethanol, LLC, et al. v. EPA; No. 10-1106; D.C. Circuit	Pinnacle Ethanol, LLC; Frontier Ethanol, LLC; Horizon Ethanol, LLC; Prairie Ethanol, LLC	CAA	Dismissed	4/26/2011	\$0.00
5/25/2010	10-1107	National Chicken Council, et al. v. EPA; No. 10-1107; D.C. Circuit	National Chicken Council; National Meat Association; National Turkey Federation	CAA	Case pending	n/a	n/a
5/25/2010	(10-1107)	Friends of the Earth v. EPA; No. 10-1108; D.C. Circuit	Friends of the Earth	CAA	consolidated	consolidated	consolidated
5/26/2010	(10-1073)	American Iron and Steel Institute v. EPA; No. 10-1109; D.C. Circuit	American Iron and Steel Institute	CAA	consolidated	consolidated	consolidated
5/26/2010	(10-1073)	Gerdau Ameristeel US Inc. v. EPA; No. 10-1110; D.C. Circuit	Gerdau Ameristeel US Inc.	CAA	consolidated	consolidated	consolidated
5/26/2010	1:10-CV-01218	WildEarth Guardians v. EPA; No. 1:10-CV-01218; D. CO	WildEarth Guardians	CAA	Dismissed following CD	1/31/2011	\$5,973.97
5/28/2010	(10-1073)	Energy-Intensive Manufacturers' Working Group on Greenhouse Gas Regulation v. EPA; No. 10-1114; D.C. Circuit	Energy-Intensive Manufacturers' Working Group on Greenhouse Gas Regulation	CAA	consolidated	consolidated	consolidated
5/28/2010	(10-1073)	National Mining Association v. EPA; No. 10-1120; D.C. Circuit	National Mining Association	CAA	consolidated	consolidated	consolidated
5/28/2010	(10-1073)	Peabody Energy Company v. EPA; No. 10-1118; D.C. Circuit	Peabody Energy Company	CAA	consolidated	consolidated	consolidated
5/28/2010	(10-1073)	American Farm Bureau Federation v. EPA; No. 10-1119; D.C. Circuit	American Farm Bureau Federation	CAA	consolidated	consolidated	consolidated
5/28/2010	(09-1018)	Center for Biological Diversity v. EPA; No. 10-1115; D.C. Circuit	Center for Biological Diversity	CAA	consolidated	consolidated	consolidated
6/1/2010	(10-1073)	Ohio Coal Association v. EPA; No. 10-1126; D.C. Circuit	Ohio Coal Association	CAA	consolidated	consolidated	consolidated

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Date Opened	Lead (secondary)	Case Information	Plaintiffs/Petitioners	Statute	Outcome/ Disposition	Court Decision Date	Fees & Costs Paid *
6/1/2010	(10-1073)	National Association of Manufacturers, et al. v. EPA; No. 10-1127; D.C. Circuit	American Petroleum Institute; Brick Industry Association; National Association of Home Builders; National Association of Manufacturers; National Oilseed Processors Association; National Petrochemical & Refiners Association; Western States Petroleum Association	CAA	consolidated	consolidated	consolidated
6/1/2010	(10-1073)	Utility Air Regulatory Group v. EPA; No. 10-1122; D.C. Circuit	Utility Air Regulatory Group	CAA	consolidated	consolidated	consolidated
6/1/2010	(10-1073)	Chamber of Commerce of the United States of America v. EPA; No. 10-1123; D.C. Circuit	Chamber of Commerce of the United States of America	CAA	consolidated	consolidated	consolidated
6/1/2010	(10-1073)	Missouri Joint Municipal Electric Utility Commission v. EPA; No. 10-1124; D.C. Circuit	Missouri Joint Municipal Electric Utility Commission	CAA	consolidated	consolidated	consolidated
6/1/2010	(10-1073)	National Environmental Development Association's Clean Air Project v. EPA; No. 10-1125; D.C. Circuit	National Environmental Development Association's Clean Air Project	CAA	consolidated	consolidated	consolidated
6/1/2010	(10-1073)	Portland Cement Association v. EPA; No. 10-1129; D.C. Circuit	Portland Cement Association	CAA	consolidated	consolidated	consolidated
6/1/2010	(10-1073)	State of Texas, et al. v. EPA; No. 10-1128; D.C. Circuit	State of Texas; State of Alabama; State of South Carolina; State of South Dakota; State of Nebraska; State of North Dakota; Commonwealth of Virginia; Rick Perry, Governor of Texas; Greg Abbott, Attorney General of Texas; Texas Commission on Environmental Quality; Texas Agriculture Commission; Texas Public Utilities Commission; Texas Railroad Commission; Texas General Land Office; Haley Barbour, Governor of the State of Mississippi	CAA	consolidated	consolidated	consolidated

Suits under the CAA filed from 10/1/2005 through 10/13/2011

Date Opened	Lead (secondary)	Case Information	Plaintiffs/Petitioners	Statute	Outcome/ Disposition	Court Decision Date	Fees & Costs Paid *
6/3/2010	10-1131	Southeastern Legal Foundation, Inc., et al. v. EPA; No. 10-1131; D.C. Circuit	Collins Industries, Inc.; Collins Trucking Company, Inc.; Dan Burton, U.S. Representative, Indiana 5th District; Dana Rohrabacher, U.S. Representative, California 46th District; Georgia Agribusiness Council, Inc.; Georgia Motor Trucking Association, Inc.; J&M Tank Lines, Inc.; Jack Kingston, U.S. Representative, Georgia 1st District; John Linder, U.S. Representative, Georgia 7th District; John Shadegg, U.S. Representative, Arizona 3rd District; John Shimkus, U.S. Representative, Illinois 19th District; Kennesaw Transportation, Inc.; Kevin Brady, U.S. Representative, Texas 8th District; Langboard, Inc. - MDF; Langboard, Inc. - OSB; Langdale Chevrolet-Pontiac, Inc.; Langdale Farms, LLC; Langdale Ford Company; Langdale Forest Products Company; Langdale Fuel Company; Lynn Westmoreland, U.S. Representative, Georgia 3rd District; Marsha Blackburn, U.S. Representative, Tennessee 7th District; Michele Bachmann, U.S. Representative, Minnesota 6th District; Paul Broun, U.S. Representative, 10th District; Phil Gingrey, U.S. Representative, Georgia 11th District; Southeast Trailer Mart, Inc.; Southeastern Legal Foundation, Inc.; Steve King, U.S. Representative, Iowa 5th District; The Langdale Company; Tom Price, U.S. Representative, Georgia 6th District	CAA	Case pending	n/a	n/a
6/3/2010	(10-1131)	Coalition for Responsible Regulation, Inc., et al. v. EPA; No. 10-1132; D.C. Circuit	Alpha Natural Resources, Inc.; Coalition for Responsible Regulation, Inc.; Great Northern Project Development, L.P.; Industrial Minerals Association - North America; National Cattlemen's Beef Association; Rosebud Mining Company	CAA	consolidated	consolidated	consolidated
6/7/2010	(10-1092)	American Iron and Steel Institute v. EPA; No. 10-1134; D.C. Circuit	American Iron and Steel Institute	CAA	consolidated	consolidated	consolidated
6/11/2010	1:10-CV-985	Center for Biological Diversity, et al. v. EPA; No. 1:10-CV-985; D. D.C.	Center for Biological Diversity; Friends of the Earth; International Center for Technology Assessment; Center For Food Safety; Oceana	CAA	Case pending	n/a	n/a
6/11/2010	10-60459	Texas Oil and Gas Association, et al. v. EPA; No. 10-60459; 5th Circuit	Texas Association of Manufacturers; Texas Oil and Gas Association	CAA	Case pending	n/a	n/a
6/14/2010	(10-60459)	State of Texas v. EPA; No. 10-60502; 5th Circuit	State of Texas	CAA	consolidated	consolidated	Consolidated
6/14/2010	(10-60459)	BCCA Appeal Group v. EPA; No. 10-60498; 5th Circuit	BCCA Appeal Group	CAA	consolidated	consolidated	consolidated
6/29/2010	(10-1092)	Competitive Enterprise Institute, et al. v. EPA; National Highway Traffic Safety Administration; No. 10-1143; D.C. Circuit	Competitive Enterprise Institute; Freedomworks; Science and Environmental Policy Project	CAA	consolidated	consolidated	consolidated

Suits under the CAA filed from 10/1/2005 through 10/13/2011

Date Opened	Lead (secondary)	Case Information	Plaintiffs/Petitioners	Statute	Outcome/ Disposition	Court Decision Date	Fees & Costs Paid *
6/29/2010	(10-1092)	Ohio Coal Association v. EPA; No. 10-1144; D.C. Circuit	Ohio Coal Association	CAA	consolidated	consolidated	consolidated
6/29/2010	(10-1131)	Ohio Coal Association v. EPA; No. 10-1145; D.C. Circuit	Ohio Coal Association	CAA	consolidated	consolidated	consolidated
6/29/2010	(10-1131)	Gerdau Ameristeel US Inc. v. EPA; No. 10-1148; D.C. Circuit	Gerdau Ameristeel US Inc.	CAA	consolidated	consolidated	consolidated
6/29/2010	4:10-CV-2859	Comite Civico Del Valle, Inc. v. EPA; No. 4:10-CV-2859; N.D. CA	Comite Civico Del Valle, Inc.	CAA	Dismissed following CD	12/13/2010	\$18,535.00
6/29/2010	10-1146	Allied Energy Company, et al. v. EPA; No. 10-1146; D.C. Circuit	Allied Energy Company; Gladioux Trading and Marketing; Insight Equity Acquisition Partners, LP; LiquidTitan, LLC; Seaport Refining and Environmental, LLC	CAA	Held in abeyance	n/a	n/a
6/30/2010	(10-1131)	American Iron and Steel Institute v. EPA; No. 10-1147; D.C. Circuit	American Iron and Steel Institute	CAA	consolidated	consolidated	consolidated
7/2/2010	(10-1092)	Mark Reed Levin, et al. v. EPA; No. 10-1152; D.C. Circuit	Mark Reed Levin; Landmark Legal Foundation	CAA	consolidated	consolidated	consolidated
7/2/2010	(10-1092)	Gerdau Ameristeel US Inc. v. EPA; No. 10-1156; D.C. Circuit	Gerdau Ameristeel US Inc.	CAA	consolidated	consolidated	consolidated
7/6/2010	(10-1092)	American Forest & Paper Association, Inc. v. EPA; No. 10-1172; D.C. Circuit	American Forest & Paper Association, Inc.	CAA	consolidated	consolidated	consolidated
7/6/2010	(10-1092)	Energy-Intensive Manufacturers' Working Group on Greenhouse Gas Regulation v. EPA; No. 10-1158; D.C. Circuit	Energy-Intensive Manufacturers' Working Group on Greenhouse Gas Regulation	CAA	consolidated	consolidated	consolidated
7/6/2010	(10-1092)	Portland Cement Association v. EPA; No. 10-1159; D.C. Circuit	Portland Cement Association	CAA	consolidated	consolidated	consolidated
7/6/2010	(10-1092)	Chamber of Commerce of the United States of America v. EPA; No. 10-1160; D.C. Circuit	Chamber of Commerce of the United States of America	CAA	consolidated	consolidated	consolidated
7/6/2010	(10-1092)	National Mining Association v. EPA; No. 10-1162; D.C. Circuit	National Mining Association	CAA	consolidated	consolidated	consolidated
7/6/2010	(10-1092)	National Association of Manufacturers, et al. v. EPA; No. 10-1166; D.C. Circuit	American Frozen Food Institute; American Petroleum Institute; Brick Industry Association; Corn Refiners Association, Inc.; Glass Packaging Institute; Michigan Manufacturers Association; Mississippi Manufacturers Association; National Association of Home Builders; National Association of Manufacturers; National Federation of Independent Business; National Oilseed Processors Association; National Petrochemical & Refiners Association; Specialty Steel Industry of North America; Tennessee Chamber of Commerce and Industry; West Virginia Manufacturers Association; Wisconsin Manufacturers and Commerce	CAA	consolidated	consolidated	consolidated

Suits under the CAA filed from 10/1/2005 through 10/13/2011

Date Opened	Lead (secondary)	Case Information	Plaintiffs/Petitioners	Statute	Outcome/ Disposition	Court Decision Date	Fees & Costs Paid *
7/6/2010	(10-1092)	State of Texas, et al. v. EPA; No. 10-1182; D.C. Circuit	Commonwealth of Virginia; Greg Abbott, Attorney General of Texas; Haley Barbour, Governor of the State of Mississippi; Rick Perry, Governor of Texas; State of Alabama; State of Nebraska; State of North Dakota; State of South Carolina; State of South Dakota; State of South Carolina; State of South Dakota; State of Texas; Texas Agriculture Commission; Texas Commission on Environmental Quality; Texas General Land Office; Texas Public Utilities Commission; Texas Railroad Commission	CAA	consolidated	consolidated	consolidated
7/6/2010	(10-1092)	Utility Air Regulatory Group v. EPA; No. 0-1161; D.C. Circuit	Utility Air Regulatory Group	CAA	consolidated	consolidated	consolidated
7/6/2010	(10-1092)	Peabody Energy Company v. EPA; No. 10-1163; D.C. Circuit	Peabody Energy Company	CAA	consolidated	consolidated	consolidated
7/6/2010	(10-1092)	American Farm Bureau Federation v. EPA; No. 10-1164; D.C. Circuit	American Farm Bureau Federation	CAA	consolidated	consolidated	consolidated
7/6/2010	(10-1131)	American Chemistry Council v. EPA; No. 10-1167; D.C. Circuit	American Chemistry Council	CAA	consolidated	consolidated	consolidated
7/6/2010	(10-1167)	American Chemistry Council v. EPA; No. 10-1168; D.C. Circuit	American Chemistry Council	CAA	consolidated	consolidated	consolidated
7/6/2010	(10-1167)	American Chemistry Council v. EPA; No. 10-1170; D.C. Circuit	American Chemistry Council	CAA	consolidated	consolidated	consolidated
7/6/2010	(10-1167)	Clean Air Implementation Project v. EPA; No. 10-1173; D.C. Circuit	Clean Air Implementation Project	CAA	consolidated	consolidated	consolidated
7/6/2010	(10-1167)	Clean Air Implementation Project v. EPA; No. 10-1175; D.C. Circuit	Clean Air Implementation Project	CAA	consolidated	consolidated	consolidated
7/6/2010	(10-1167)	National Association of Manufacturers, et al. v. EPA; No. 10-1176; D.C. Circuit	American Frozen Food Institute; American Petroleum Institute; Brick Industry Association; Corn Refiners Association, Inc.; Glass Packaging Institute; Independent Petroleum Association of America; Michigan Manufacturers Association; Mississippi Manufacturers Association; National Association of Home Builders; National Association of Manufacturers; National Oilseed Processors Association; National Petrochemical & Refiners Association; Specialty Steel Industry of North America; Tennessee Chamber of Commerce and Industry; West Virginia Manufacturers Association; Western States Petroleum Association; Wisconsin Manufacturers and Commerce	CAA	consolidated	consolidated	consolidated
7/6/2010	(10-1167)	Clean Air Implementation Project v. EPA; No. 10-1177; D.C. Circuit	Clean Air Implementation Project	CAA	consolidated	consolidated	consolidated

Suits under the CAA filed from 10/1/2005 through 10/13/2011

Date Opened	Lead (secondary)	Case Information	Plaintiffs/Petitioners	Statute	Outcome/ Disposition	Court Decision Date	Fees & Costs Paid *
7/6/2010	(10-1167)	National Association of Manufacturers, et al. v. EPA; No. 10-1180; D.C. Circuit	American Frozen Food Institute; American Petroleum Institute; Brick Industry Association; Corn Refiners Association, Inc.; Glass Packaging Institute; Independent Petroleum Association of America; Michigan Manufacturers Association; Mississippi Manufacturers Association; National Association of Home Builders; National Association of Manufacturers; National Oilseed Processors Association; National Petrochemical & Refiners Association; Specialty Steel Industry of North America; Tennessee Chamber of Commerce and Industry; West Virginia Manufacturers Association; Western States Petroleum Association; Wisconsin Manufacturers and Commerce	CAA	consolidated	consolidated	consolidated
7/6/2010	(10-1167)	Clean Air Implementation Project v. EPA; No. 10-1174; D.C. Circuit	Clean Air Implementation Project	CAA	consolidated	consolidated	consolidated
7/6/2010	(10-1167)	American Chemistry Council v. EPA; No. 10-1169; D.C. Circuit	American Chemistry Council	CAA	consolidated	consolidated	consolidated
7/6/2010	(10-1167)	National Association of Manufacturers, et al. v. EPA; No. 10-1178; D.C. Circuit	American Frozen Food Institute; American Petroleum Institute; Brick Industry Association; Corn Refiners Association, Inc.; Glass Packaging Institute; Independent Petroleum Association of America; Michigan Manufacturers Association; Mississippi Manufacturers Association; National Association of Home Builders; National Association of Manufacturers; National Oilseed Processors Association; National Petrochemical & Refiners Association; Specialty Steel Industry of North America; Tennessee Chamber of Commerce and Industry; West Virginia Manufacturers Association; Western States Petroleum Association; Wisconsin Manufacturers and Commerce	CAA	consolidated	consolidated	consolidated

Suits under the CAA filed from 10/1/2005 through 10/13/2011

Date Opened	Lead (secondary)	Case Information	Plaintiffs/Petitioners	Statute	Outcome/ Disposition	Court Decision Date	Fees & Costs Paid *
7/6/2010	(10-1167)	National Association of Manufacturers, et al. v. EPA; No. 10-1179; D.C. Circuit	American Frozen Food Institute; American Petroleum Institute; Brick Industry Association; Corn Refiners Association, Inc.; Glass Packaging Institute; Independent Petroleum Association of America; Michigan Manufacturers Association; Mississippi Manufacturers Association; National Association of Home Builders; National Association of Manufacturers; National Oilseed Processors Association; National Petrochemical & Refiners Association; Specialty Steel Industry of North America; Tennessee Chamber of Commerce and Industry; West Virginia Manufacturers Association; Western States Petroleum Association; Wisconsin Manufacturers and Commerce	CAA	consolidated	consolidated	consolidated
7/6/2010	10-1165	Coalition for Responsible Regulation, Inc., et al. v. EPA; No. 10-1165; D.C. Circuit	Alpha Natural Resources, Inc.; Coalition for Responsible Regulation, Inc.; Great Northern Project Development, L.P.; Industrial Minerals Association - North America; National Cattlemen's Beef Association; Rosebud Mining Company	CAA	Dismissed	8/24/2010	\$0.00
7/6/2010	10-1171	Peabody Energy Company v. EPA; No. 10-1171; D.C. Circuit	Peabody Energy Company	CAA	Dismissed	9/20/2010	\$0.00
7/12/2010	3:10-CV-3051	Association of Irrigated Residents v. EPA; No. 3:10-CV-3051; N.D. CA	Association of Irrigated Residents	CAA	Dismissed following CD	1/12/2011	\$19,000.00
7/14/2010	1:10-CV-1672	WildEarth Guardians v. EPA; No. 1:10-CV-1672; D. CO	WildEarth Guardians	CAA	Dismissed following CD	1/10/2011	\$2,600.00
7/15/2010	1:10-CV-1680	WildEarth Guardians v. EPA; No. 1:10-CV-1680; D. CO	WildEarth Guardians	CAA	Dismissed	6/8/2011	\$0.00
7/26/2010	10-60614	State of Texas v. EPA; No. 10-60614; 5th Circuit	State of Texas	CAA	Case pending	n/a	n/a
7/29/2010	(10-1131)	Chambers of Commerce of the USA v. EPA; No. 10-1199; D.C. Circuit	Chambers of Commerce of the USA	CAA	consolidated	consolidated	consolidated
7/30/2010	(10-1131)	Georgia Coalition for Sound Environmental Policy v. EPA; No. 10-1200; D.C. Circuit	Georgia Coalition for Sound Environmental Policy	CAA	consolidated	consolidated	consolidated
7/30/2010	(10-1131)	National Mining Association v. EPA; No. 10-1201; D.C. Circuit	National Mining Association	CAA	consolidated	consolidated	consolidated
7/30/2010	(10-1131)	American Farm Bureau Federation v. EPA; No. 10-1202; D.C. Circuit	American Farm Bureau Federation	CAA	consolidated	consolidated	consolidated
7/30/2010	(10-1131)	Peabody Energy Company v. EPA; No. 10-1203; D.C. Circuit	Peabody Energy Company	CAA	consolidated	consolidated	consolidated
8/2/2010	(10-1131)	Energy-Intensive Manufacturers' Working Group on Greenhouse Gas Regulation v. EPA; No. 10-1206; D.C. Circuit	Energy-Intensive Manufacturers' Working Group on Greenhouse Gas Regulation	CAA	consolidated	consolidated	consolidated

Suits under the CAA filed from 10/1/2005 through 10/13/2011

Date Opened	Lead (secondary)	Case Information	Plaintiffs/Petitioners	Statute	Outcome/ Disposition	Court Decision Date	Fees & Costs Paid *
8/2/2010	(10-1131)	Landmark Legal Foundation, et al. v. EPA; No. 10-1208; D.C. Circuit	Landmark Legal Foundation; Mark Reed Levin	CAA	consolidated	consolidated	consolidated
8/2/2010	(10-1131)	National Alliance of Forest Owners, et al. v. EPA; No. 10-1209; D.C. Circuit	American Forest & Paper Association, Inc.; National Alliance of Forest Owners	CAA	consolidated	consolidated	consolidated
8/2/2010	(10-1131)	National Federation of Independent Business v. EPA; No. 10-1219; D.C. Circuit	National Federation of Independent Business	CAA	consolidated	consolidated	consolidated
8/2/2010	(10-1131)	Rick Perry, Governor of Texas, et al. v. EPA; No. 10-1222; D.C. Circuit	Greg Abbott, Attorney General of Texas; Rick Perry, Governor of Texas; State of Texas; Texas Commission on Environmental Quality; Texas General Land Office; Texas Public Utilities Commission; Texas Railroad Commission; Texas Department of Agriculture	CAA	consolidated	consolidated	consolidated
8/2/2010	(10-1131)	Center for Biological Diversity v. EPA; No. 10-1205; D.C. Circuit	Center for Biological Diversity	CAA	consolidated	consolidated	consolidated
8/2/2010	(10-1131)	South Carolina Public Service Authority v. EPA; No. 10-1207; D.C. Circuit	South Carolina Public Service Authority	CAA	consolidated	consolidated	consolidated
8/2/2010	(10-1131)	State of Alabama, et al. v. EPA; No. 10-1211; D.C. Circuit	Haley Barbour, Governor of the State of Mississippi; State of Alabama; State of Nebraska; State of North Dakota; State of South Carolina; State of South Dakota	CAA	consolidated	consolidated	consolidated
8/2/2010	(10-1131)	Utility Air Regulatory Group v. EPA; No. 10-1212; D.C. Circuit	Utility Air Regulatory Group	CAA	consolidated	consolidated	consolidated
8/2/2010	(10-1131)	Missouri Joint Municipal Electric Utility Commission v. EPA; No. 10-1213; D.C. Circuit	Missouri Joint Municipal Electric Utility Commission	CAA	consolidated	consolidated	consolidated
8/2/2010	(10-1131)	Clean Air Implementation Project v. EPA; No. 10-1216; D.C. Circuit	Clean Air Implementation Project	CAA	consolidated	consolidated	consolidated
8/2/2010	(10-1131)	National Environmental Development Association's Clean Air Project v. EPA; No. 10-1210; D.C. Circuit	National Environmental Development Association's Clean Air Project	CAA	consolidated	consolidated	consolidated
8/2/2010	(10-1131)	Portland Cement Association v. EPA; No. 10-1220; D.C. Circuit	Portland Cement Association	CAA	consolidated	consolidated	consolidated
8/2/2010	(10-1131)	Louisiana Department of Environmental Quality v. EPA; No. 10-1221; D.C. Circuit	Louisiana Department of Environmental Quality	CAA	consolidated	consolidated	consolidated
8/2/2010	0:10-CV-3279	Cfmoto Powersports, Inc. v. EPA; No. 0:10-CV-3279; D. MN	Cfmoto Powersports, Inc.	CAA	Dismissed	1/31/2011	\$0.00

Suits under the CAA filed from 10/1/2005 through 10/13/2011

Date Opened	Lead (secondary)	Case Information	Plaintiffs/Petitioners	Statute	Outcome/ Disposition	Court Decision Date	Fees & Costs Paid *
8/6/2010	(10-1131)	National Association of Manufacturers, et al. v. EPA; No. 10-1218; D.C. Circuit	American Frozen Food; Institute American Petroleum; Institute Brick Industry; Association Corn Refiners Association, Inc.; Glass Packaging Institute; Independent Petroleum Association of America; Michigan Manufacturers Association; Mississippi Manufacturers Association; National Association of Home Builders; National Association of Manufacturers; National Oilseed Processors Association; National Petrochemical & Refiners Association; Tennessee Chamber of Commerce and Industry; West Virginia Manufacturers Association; Western States Petroleum Association; Wisconsin Manufacturers and Commerce; Glass Association of North America	CAA	consolidated	consolidated	consolidated
8/9/2010	(09-1018)	Sierra Club v. EPA; No. 10-1215; D.C. Circuit	Sierra Club	CAA	consolidated	consolidated	consolidated
8/12/2010	2:10-CV-6029	Natural Resources Defense Council, et al. v. EPA; No. 2:10-CV-6029; N.D. CA	Coalition for a Safe Environment; Natural Resources Defense Council	CAA	Case stayed pursuant to CD	2/8/2010	n/a
8/13/2010	(09-1322)	Coalition for Responsible Regulation, Inc., et al. v. EPA; No. 10-1234; D.C. Circuit	Alpha Natural Resources, Inc.; Coalition for Responsible Regulation, Inc.; Great Northern Project Development, L.P.; Industrial Minerals Association - North America; National Cattlemen's Beef Association; Rosebud Mining Company	CAA	consolidated	consolidated	consolidated
8/13/2010	(09-1322)	Chamber of Commerce of the United States of America v. EPA; No. 10-1235; D.C. Circuit	Chamber of Commerce of the United States of America	CAA	consolidated	consolidated	consolidated

Suits under the CAA filed from 10/1/2005 through 10/13/2011

Date Opened	Lead (secondary)	Case Information	Plaintiffs/Petitioners	Statute	Outcome/ Disposition	Court Decision Date	Fees & Costs Paid *
8/17/2010	(09-1322)	Southeastern Legal Foundation, Inc., et al. v. EPA; No. 10-1239; D.C. Circuit	Collins Industries, Inc.; Collins Trucking Company, Inc.; Dan Burton, U.S. Representative, Indiana 5th District; Dana Rohrabacher, U.S. Representative, California 46th District; Georgia Agribusiness Council, Inc.; Georgia Motor Trucking Association, Inc.; J&M Tank Lines, Inc.; Jack Kingston, U.S. Representative, Georgia 1st District; John Linder, U.S. Representative, Georgia 7th District; John Shadegg, U.S. Representative, Arizona 3rd District; John Shimkus, U.S. Representative, Illinois 19th District; Kennesaw Transportation, Inc.; Kevin Brady, U.S. Representative, Texas 8th District; Langboard, Inc. - MDF; Langboard, Inc. - OSB; Langdale Chevrolet-Pontiac, Inc.; Langdale Farms, LLC; Langdale Ford Company; Langdale Forest Products Company; Langdale Fuel Company; Lynn Westmoreland, U.S. Representative, Georgia 3rd District; Marsha Blackburn, U.S. Representative, Tennessee 7th District; Michele Bachmann, U.S. Representative, Minnesota 6th District; Paul Broun, U.S. Representative, 10th District; Phil Gingrey, U.S. Representative, Georgia 11th District; Southeast Trailer Mart, Inc.; Southeastern Legal Foundation, Inc.; Steve King, U.S. Representative, Iowa 5th District; The Langdale Company; Tom Price, U.S. Representative, Georgia 6th District	CAA	consolidated	consolidated	consolidated
8/20/2010	(09-1322)	Peabody Energy Company v. EPA; No. 10-1245; D.C. Circuit	Peabody Energy Company	CAA	consolidated	consolidated	consolidated
8/23/2010	10-1252	National Environmental Development Association's Clean Air Project v. EPA; No. 10-1252; D.C. Circuit	National Environmental Development Association's Clean Air Project	CAA	Case pending	n/a	n/a
8/23/2010	(10-1252)	Montana Sulphur & Chemical Co. v. EPA; No. 10-1254; D.C. Circuit	Montana Sulphur & Chemical Co.	CAA	consolidated	consolidated	consolidated
8/23/2010	(10-1252)	So2 Naaqs Coalition, et al. v. EPA; No. 10-1255; D.C. Circuit	So2 Naaqs Coalition; Utility Air Regulatory Group	CAA	consolidated	consolidated	consolidated
8/23/2010	(10-1252)	Asarco LLC v. EPA; No. 10-1256; D.C. Circuit	Asarco LLC	CAA	consolidated	consolidated	consolidated
8/23/2010	(10-1252)	State of North Dakota v. EPA; No. 10-1258; D.C. Circuit	State of North Dakota	CAA	consolidated	consolidated	consolidated
8/23/2010	(10-1252)	State of Texas, et al. v. EPA; No. 10-1259; D.C. Circuit	State of Texas; Texas Commission on Environmental Quality	CAA	consolidated	consolidated	consolidated
8/28/2010	1234796	Sierra Club, et al. v. EPA; No. 10-5280; D.C. Circuit	Sierra Club; Valley Watch	CAA	Decided in EPA's Favor	7/1/2011	\$0.00
9/3/2010	10-72709	Imperial County Air Pollution Control District v. EPA; No. 10-72709; 9th Circuit	Imperial County Air Pollution Control District	CAA	Case pending	n/a	n/a

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Date Opened	Lead (secondary)	Case Information	Plaintiffs/Petitioners	Statute	Outcome/ Disposition	Court Decision Date	Fees & Costs Paid *
9/7/2010	(09-1322)	State of Texas, et al. v. EPA; No. 10-1281; D.C. Circuit	Greg Abbott, Attorney General of Texas; Rick Perry, Governor of Texas; State of Texas; Texas Agriculture Commission; Texas Commission on Environmental Quality; Texas Public Utilities Commission	CAA	consolidated	consolidated	consolidated
9/8/2010	(10-72709)	California Department of Parks and Recreation v. EPA; No. 10-72729; 9th Circuit	California Department of Parks and Recreation	CAA	Consolidated	consolidated	consolidated
9/9/2010	3:10-CV-04060-EDL	Sierra Club, et al. v. EPA; No. 3:10-CV-04060-EDL; N.D. CA	Sierra Club; WildEarth Guardians	CAA	Case stayed pursuant to CD; fees pursuant to underlying litigation via settlement	11/30/2011	\$27,300.00
9/10/2010	10-1284	American Forest & Paper Association, Inc. v. EPA; No. 10-1284; D.C. Circuit	American Forest & Paper Association, Inc.	CAA	Held in Abeyance	n/a	n/a
9/13/2010	(10-60614)	National Association of Manufacturers, et al. v. EPA; No. 10-60748; 5th Circuit	American Chemistry Council; American Petroleum Institute; Chambers of Commerce of the USA; National Association of Manufacturers; National Petrochemical & Refiners Association; Texas Association of Business; Texas Chemical Council	CAA	consolidated	consolidated	consolidated
9/14/2010	1:10-CV-1541	Sierra Club v. EPA; No. 1:10-CV-1541; D. C.	Sierra Club	CAA	Stayed	n/a	n/a
9/21/2010	6:10-CV-877	WildEarth Guardians v. EPA; No. 6:10-CV-877; D. NM	WildEarth Guardians	CAA	Dismissed following CD	7/1/2011	\$2,800.00
9/23/2010	1:10-CV-2336	WildEarth Guardians v. EPA; No. 1:10-CV-2336; D. CO	WildEarth Guardians	CAA	Dismissed	12/16/2010	\$0.00
10/7/2010	(09-1322)	Pacific Legal Foundation v. EPA; No. 10-1310; D.C. Circuit	Pacific Legal Foundation	CAA	consolidated	consolidated	consolidated
10/8/2010	(09-1322)	Competitive Enterprise Institute, et al. v. EPA; No. 10-1318; D.C. Circuit	Competitive Enterprise Institute; Freedomworks; Science and Environmental Policy Project	CAA	consolidated	consolidated	consolidated
10/8/2010	(09-1322)	Commonwealth of Virginia v. EPA; No. 10-1319; D.C. Circuit	Commonwealth of Virginia	CAA	consolidated	consolidated	consolidated
10/12/2010	(09-1322)	Utility Air Regulatory Group v. EPA; No. 10-1320; D.C. Circuit	Utility Air Regulatory Group	CAA	consolidated	consolidated	consolidated
10/12/2010	(09-1322)	Ohio Coal Association v. EPA; No. 10-1321; D.C. Circuit	Ohio Coal Association	CAA	consolidated	consolidated	consolidated
10/12/2010	3:10-CV-4603	WildEarth Guardians, et al. v. EPA; No. 3:10-CV-4603; N.D. CA	WildEarth Guardians; Elizabeth Crowe	CAA	Dismissed following settlement	3/16/2011	\$20,000.00
10/18/2010	10-1331	Engine Manufacturers Association v. EPA; No. 10-1331; D.C. Circuit	Engine Manufacturers Association	CAA	Held in Abeyance	n/a	n/a
10/19/2010	(10-1331)	American Petroleum Institute v. EPA; No. 10-1334; D.C. Circuit	American Petroleum Institute	CAA	consolidated	consolidated	consolidated
10/19/2010	(10-1331)	Gas Processors Association v. EPA; No. 10-1335; D.C. Circuit	Gas Processors Association	CAA	consolidated	consolidated	consolidated
10/19/2010	(10-1331)	EnerNOC, Inc., et al. v. EPA; No. 10-1336; D.C. Circuit	EnergyConnect, Inc.; EnerNOC, Inc.; Innoventive Power, LLC	CAA	consolidated	consolidated	consolidated

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Date Opened	Lead (secondary)	Case Information	Plaintiffs/Petitioners	Statute	Outcome/ Disposition	Court Decision Date	Fees & Costs Paid *
10/19/2010	(10-1331)	Interstate Natural Gas Association of America v. EPA; No. 10-1337; D.C. Circuit	Interstate Natural Gas Association of America	CAA	consolidated	consolidated	consolidated
10/20/2010	(10-1331)	Exterran Energy Solutions, L.P., et al. v. EPA; No. 10-1338; D.C. Circuit	Exterran Energy Solutions, L.P.; EXLP Operating LLC	CAA	consolidated	consolidated	consolidated
10/22/2010	1:10-CV-1814	Kentucky Environmental Foundation v. EPA; No. 1:10-CV-1814; D. D.C.	Kentucky Environmental Foundation	CAA	Case stayed pursuant to CD	9/20/2011	n/a
10/26/2010	10-1347	Honeywell International, Inc., et al. v. EPA; No. 10-1347; D.C. Circuit	Honeywell International, Inc.; E. I. du Pont de Nemours and Company	CAA	Case pending	n/a	n/a
10/26/2010	(10-1347)	Honeywell International, Inc., et al. v. EPA; No. 10-1348; D.C. Circuit	E. I. du Pont de Nemours and Company; Honeywell International, Inc.	CAA	consolidated	consolidated	consolidated
10/26/2010	(10-1347)	Honeywell International, Inc., Inc. v. EPA; No. 10-1349; D.C. Circuit	E. I. du Pont de Nemours and Company; Honeywell International, Inc.	CAA	consolidated	consolidated	consolidated
10/26/2010	(10-1347)	Honeywell International, Inc., et al. v. EPA; No. 10-1350; D.C. Circuit	E. I. du Pont de Nemours and Company; Honeywell International, Inc.	CAA	consolidated	consolidated	consolidated
11/5/2010	10-1358	Portland Cement Association v. EPA; No. 10-1358; D.C. Circuit	Portland Cement Association	CAA	Decided in EPA's favor	12/9/2011	\$0.00
11/5/2010	10-1359	Portland Cement Association v. EPA; No. 10-1359; D.C. Circuit	Portland Cement Association	CAA	Decided partly in EPA's favor and partly in Petitioner's favor	12/9/2011	\$0.00
11/5/2010	(10-1359)	Lehigh Cement Company v. EPA; No. 10-1361; D.C. Circuit	Lehigh Cement Company	CAA	consolidated	consolidated	consolidated
11/5/2010	(10-1359)	Cemex v. EPA; No. 10-1368; D.C. Circuit	Cemex	CAA	consolidated	consolidated	consolidated
11/8/2010	(10-1358)	Ash Grove Cement v. EPA; No. 10-1363; D.C. Circuit	Ash Grove Cement	CAA	consolidated	consolidated	consolidated
11/8/2010	(10-1358)	Riverside Cement Company, et al. v. EPA; No. 10-1366; D.C. Circuit	Riverside Cement Company; TXI Operations, Inc.	CAA	consolidated	consolidated	consolidated
11/8/2010	(10-1358)	Cemex v. EPA; No. 10-1367; D.C. Circuit	Cemex	CAA	consolidated	consolidated	consolidated
11/8/2010	(10-1358)	LaFarge North America, Incorporated, et al. v. EPA; No. 10-1369; D.C. Circuit	LaFarge North America, Incorporated; LaFarge Midwest Incorporated; LaFarge Building Materials, Incorporated	CAA	consolidated	consolidated	consolidated
11/8/2010	(10-1358)	Eagle Materials, Inc. v. EPA; No. 10-1373; D.C. Circuit	Eagle Materials, Inc.	CAA	consolidated	consolidated	consolidated
11/8/2010	(10-1358)	Holcim (US) Inc. v. EPA; No. 10-1375; D.C. Circuit	Holcim (US) Inc.	CAA	consolidated	consolidated	consolidated
11/8/2010	(10-1358)	Sierra Club, et al. v. EPA; No. 10-1376 ; D.C. Circuit	Natural Resources Defense Council; Sierra Club	CAA	consolidated	consolidated	consolidated
11/8/2010	(10-1358)	Downwinders at Risk, et al. v. EPA; No. 10-1379; D.C. Circuit	Desert Citizens Against Pollution; Downwinders at Risk; Friends of Hudson; Huron Environmental Activist League; Montanans Against Toxic Burning	CAA	consolidated	consolidated	consolidated
11/8/2010	(10-1359)	Ash Grove Cement v. EPA; No. 10-1364; D.C. Circuit	Ash Grove Cement	CAA	consolidated	consolidated	consolidated
11/8/2010	(10-1359)	TXI Operations, Inc, et al. v. EPA; No. 10-1365; D.C. Circuit	TXI Operations, Inc.; Riverside Cement Company	CAA	consolidated	consolidated	consolidated
11/8/2010	(10-1359)	Natural Resources Defense Council v. EPA; No. 10-1371; D.C. Circuit	Natural Resources Defense Council	CAA	consolidated	consolidated	consolidated

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Date Opened	Lead (secondary)	Case Information	Plaintiffs/Petitioners	Statute	Outcome/ Disposition	Court Decision Date	Fees & Costs Paid *
11/8/2010	(10-1359)	Eagle Materials, Inc. v. EPA; No. 10-1372; D.C. Circuit	Eagle Materials, Inc.	CAA	consolidated	consolidated	consolidated
11/8/2010	(10-1359)	Holcim (US) Inc. v. EPA; No. 10-1374; D.C. Circuit	Holcim (US) Inc.	CAA	consolidated	consolidated	consolidated
11/8/2010	(10-1359)	Tile Council of North America, Inc. v. EPA; No. 10-1377; D.C. Circuit	Tile Council of North America, Inc.	CAA	consolidated	consolidated	consolidated
11/8/2010	(10-1359)	Sierra Club, et al. v. EPA; No. 10-1378; D.C. Circuit	Desert Citizens Against Pollution; Desert Rock Energy Company, LLC; Downwinders at Risk; Friends of Hudson; Huron Environmental Activist League; Montanans Against Toxic Burning; Sierra Club	CAA	consolidated	consolidated	consolidated
11/8/2010	(10-1359)	LaFarge North America, Incorporated, et al. v. EPA; No. 10-1370; D.C. Circuit	LaFarge Midwest Incorporated; LaFarge North America, Incorporated	CAA	consolidated	consolidated	consolidated
11/9/2010	10-1380	Grocery Manufacturers Association, et al. v. EPA; No. 10-1380; D.C. Circuit	American Frozen Food Institute; American Meat Institute; American Petroleum Institute; Grocery Manufacturers Association; National Chicken Council; National Council of Chain Restaurants of the National Retail Federation; National Meat Association; National Pork Producers Council; National Turkey Federation; Snack Food Association	CAA	Case pending	n/a	n/a
11/12/2010	10-60891	Luminant Generation Company, LLC, et al. v. EPA; No. 10-60891; 5th Circuit	Luminant Generation Company, LLC; Oak Grove Management Company LLC; Big Brown Power Company, LLC; Luminant Mining Company, LLC; Sandow Power Co LLC	CAA	Case pending	n/a	n/a
11/12/2010	(10-60891)	State of Texas v. EPA; No. 10-60891; 5th Circuit	State of Texas	CAA	consolidated	consolidated	consolidated
11/12/2010	(10-60891)	Texas Oil and Gas Association, et al. v. EPA; No. 10-60459; 5th Circuit	Chamber of Commerce of the United States of America; Texas Association of Business; Texas Association of Manufacturers; Texas Oil and Gas Association	CAA	consolidated	consolidated	consolidated
11/16/2010	(10-1131)	Center for Biological Diversity v. EPA; No. 10-1388; D.C. Circuit	Center for Biological Diversity	CAA	consolidated	consolidated	consolidated
11/18/2010	CAA 10-04	WildEarth Guardians v. EPA; CAA 10-04; EAB	WildEarth Guardians	CAA	Case pending	n/a	n/a
11/19/2010	2:10-CV-4367	Zen-Noh Grain Corporation v. EPA; No. 2:10-CV-4367; E.D. LA	Zen-Noh Grain Corporation	CAA	Stayed	n/a	n/a
11/29/2010	10-1872	Sierra Club, et al. v. EPA; No. 10-1872; W.D. WA	National Parks Conservation Association; Sierra Club; Northwest Environmental Defense Center	CAA	Dismissed following settlement	4/27/2011	\$6,207.92
12/1/2010	2:10-CV-4444	Concerned Citizens Around Murphy v. EPA; No. 2:10-CV-4444; E.D. LA	Concerned Citizens Around Murphy	CAA	Dismissed after acting on the claim; fees pursuant to settlement	9/7/2011	\$3,000.00
12/8/2010	10-60934	Luminant Generation Company, LLC, et al. v. EPA; No. 10-60934; 5th Circuit	Big Brown Power Company, LLC; Luminant Generation Company, LLC; Oak Grove Management Company LLC; Sandow Power Co LLC	CAA	Case pending	n/a	n/a

Suits under the CAA filed from 10/1/2005 through 10/13/2011

Date Opened	Lead (secondary)	Case Information	Plaintiffs/Petitioners	Statute	Outcome/ Disposition	Court Decision Date	Fees & Costs Paid *
12/13/2010	1:10-CV-2112	Sierra Club v. EPA; No. 1:10-CV-2112; D. D.C.	Sierra Club	CAA	Case stayed pursuant to CD; fees pursuant to underlying litigation via settlement	10/3/2011	\$13,500.00
12/15/2010	(11-1037)	State of Texas, et al. v. EPA; No. 10-60961; 5th Circuit	Rick Perry, Governor of Texas; State of Texas; Texas Commission on Environmental Quality; Texas Department of Agriculture; Texas General Land Office; Texas Public Utilities Commission; Texas Railroad Commission	CAA	consolidated	consolidated	consolidated
12/17/2010	10-1413	Sierra Club v. EPA; No. 10-1413; D.C. Circuit	Sierra Club	CAA	Pending	n/a	n/a
12/20/2010	(10-1380)	Alliance of Automobile Manufacturers, et al. v. EPA; No. 10-1414; D.C. Circuit	Alliance of Automobile Manufacturers; Association of International Automobile Manufacturers; National Marine Manufacturers Association; Outdoor Power Equipment Institute	CAA	consolidated	consolidated	consolidated
12/20/2010	10-73870	Chabot-Las Positas Community College District v. EPA; No. 10-73870; 9th Circuit	Chabot-Las Positas Community College District	CAA	Pending	n/a	n/a
12/20/2010	10-1415	State of Texas, et al. v. EPA; No. 10-1415; D.C. Circuit	State of Texas; Texas Commission on Environmental Quality	CAA	Held in abeyance	n/a	n/a
12/30/2010	10-1425	State of Texas, et al. v. EPA; No. 10-1425; D.C. Circuit	Greg Abbott, Attorney General of Texas; Rick Perry, Governor of Texas; State of Texas; Texas Commission on Environmental Quality; Texas Department of Agriculture; Texas General Land Office; Texas Public Utilities Commission; Texas Railroad Commission	CAA	Case pending	n/a	n/a
1/1/2011	11-02, OCS Appeal	In re: Shell Gulf of Mexico, Inc., et al. v. EPA; No. 11-02, OCS Appeal; EAB	Alaska Wilderness League; Center for Biological Diversity; Native Village of Point Hope; Natural Resources Defense Council; Northern Alaska Environmental Center; Ocean Conservancy; Oceana Pacific Environment; Resisting Environmental Destruction of Indigenous Lands; Sierra Club; Wilderness Society	CAA	Decided in EPA's favor	1/12/2012	\$0.00
1/2/2011	1:11-CV-0001	WildEarth Guardians, et al. v. EPA; No. 1:11-CV-1; D. CO	WildEarth Guardians; Environmental Defense Fund	CAA	Case stayed pursuant to CD; fees pursuant to underlying litigation via settlement	9/27/2011	\$23,545.00
1/3/2011	(10-1380)	National Petrochemical & Refiners Association, et al. v. EPA; No. 11-1002; D.C. Circuit	National Petrochemical & Refiners Association; Western States Petroleum Association; International Liquid Terminals Association	CAA	consolidated	consolidated	consolidated
1/3/2011	1:11-CV-35	Sierra Club v. EPA; No. 1:11-CV-35; D. D.C.	Sierra Club	CAA	Case pending	n/a	n/a

Suits under the CAA filed from 10/1/2005 through 10/13/2011

Date Opened	Lead (secondary)	Case Information	Plaintiffs/Petitioners	Statute	Outcome/ Disposition	Court Decision Date	Fees & Costs Paid *
1/7/2011	(10-60934)	Environmental Integrity Project, et al. v. EPA; No. 11-; 5th Circuit	Citizens for Environmental Justice; Community In-Powerment Development Association; Environmental Integrity Project; Sierra Club; Environment Texas Citizen Lobby, Inc.; Texas Environmental Justice Advocacy Services Air Alliance Houston	CAA	consolidated	consolidated	consolidated
1/12/2011	3:11-CV-00190	WildEarth Guardians, et al. v. EPA; No. 3:11-CV-190; N.D. CA	Sierra Club; WildEarth Guardians	CAA	Case stayed pursuant to CD	10/20/2011	n/a
1/13/2011	11-70147	City of Carlsbad v. EPA; No. 11-70147; 9th Circuit	City of Carlsbad	CAA	Dismissed	12/12/2011	\$0.00
1/13/2011	1:11-CV-100	Sierra Club v. EPA; No. 1:11-CV-100; D. D.C.	Sierra Club	CAA	Case pending	n/a	n/a
1/18/2011	11-70196	Robert Simpson, et al. v. EPA; No. 11-70196; 9th Circuit	Robert Simpson; Robert Sarvey	CAA	Dismissed	3/9/2011	\$0.00
1/19/2011	(10-1359)	Lehigh Cement Company v. EPA; No. 11-1012; D.C. Circuit	Lehigh Cement Company	CAA	consolidated	consolidated	consolidated
1/28/2011	11-1020	American Gas Association v. EPA; No. 11-1020; D.C. Circuit	American Gas Association	CAA	Held in abeyance	n/a	n/a
1/28/2011	(11-1020)	Gas Processors Association v. EPA; No. 11-1023; D.C. Circuit	Gas Processors Association	CAA	consolidated	consolidated	consolidated
1/28/2011	11-1022	3M Company v. EPA; No. 11-1022; D.C. Circuit	3M Company	CAA	Case pending	n/a	n/a
1/31/2011	(11-1020)	Chesapeake Energy Corporation, et al. v. EPA; No. 11-1025; D.C. Circuit	Chesapeake Energy Corporation; American Exploration & Production Council	CAA	consolidated	consolidated	consolidated
1/31/2011	(11-1020)	American Petroleum Institute v. EPA; No. 11-1026; D.C. Circuit	American Petroleum Institute	CAA	consolidated	consolidated	consolidated
1/31/2011	(11-1020)	Interstate Natural Gas Association of America v. EPA; No. 11-1027; D.C. Circuit	Interstate Natural Gas Association of America	CAA	consolidated	consolidated	consolidated
1/31/2011	(11-1022)	Semiconductor Industry Association v. EPA; No. 11-1024; No. D.C. Circuit	Semiconductor Industry Association	CAA	consolidated	consolidated	consolidated
2/7/2011	(10-1107)	Friends of the Earth v. EPA; No. 11-1030; D.C. Circuit	Friends of the Earth	CAA	consolidated	consolidated	consolidated
2/9/2011	(11-1037)	Coalition for Responsible Regulation, Inc., et al. v. EPA; No. 11-60085; 5th Circuit	Alpha Natural Resources, Inc.; Coalition for Responsible Regulation, Inc.; Great Northern Project Development, L.P.; Industrial Minerals Association - North America; National Cattlemen's Beef Association; Rosebud Mining Company	CAA	consolidated	consolidated	consolidated
2/10/2011	(11-1037)	State of Wyoming v. EPA; No. 11-9504; 10th Circuit	State of Wyoming	CAA	consolidated	consolidated	consolidated
2/10/2011	(11-1037)	State of Wyoming v. EPA; No. 11-9505; 10th Circuit	State of Wyoming	CAA	consolidated	consolidated	consolidated
2/11/2011	11-1037	Utility Air Regulatory Group v. EPA; No. 11-1037; D.C. Circuit	Utility Air Regulatory Group	CAA	Case pending	n/a	n/a
2/11/2011	(11-1037)	National Mining Association v. EPA; No. 11-1039; D.C. Circuit	National Mining Association	CAA	consolidated	consolidated	consolidated

Suits under the CAA filed from 10/1/2005 through 10/13/2011

Date Opened	Lead (secondary)	Case Information	Plaintiffs/Petitioners	Statute	Outcome/ Disposition	Court Decision Date	Fees & Costs Paid *
2/11/2011	(11-1037)	Peabody Energy Company v. EPA; No. 11-1040; D.C. Circuit	Peabody Energy Company	CAA	consolidated	consolidated	consolidated
2/11/2011	(11-1037)	National Mining Association v. EPA; No. 11-9508; 10th Circuit	National Mining Association	CAA	consolidated	consolidated	consolidated
2/11/2011	(11-1037)	Utility Air Regulatory Group v. EPA; No. 11-9509; 10th Circuit	Utility Air Regulatory Group	CAA	consolidated	consolidated	consolidated
2/11/2011	(11-1037)	State of Texas, et al. v. EPA; No. 11-1038; D.C. Circuit	Greg Abbott, Attorney General of Texas; Rick Perry, Governor of Texas; State of Texas; Texas Commission on Environmental Quality; Texas Department of Agriculture; Texas General Land Office; Texas Railroad Commission; Barry Smitherman, Texas Public Utility Commission; Texas Railroad Commission	CAA	consolidated	consolidated	consolidated
2/11/2011	(11-1037)	SIP/FIP Advocacy Group v. EPA; No. 11-1041; D.C. Circuit	SIP/FIP Advocacy Group	CAA	consolidated	consolidated	consolidated
2/11/2011	(11-1037)	SIP/FIP Advocacy Group v. EPA; No. 10-60961; 5th Circuit	SIP/FIP Advocacy Group	CAA	consolidated	consolidated	consolidated
2/11/2011	(11-1037)	National Mining Association v. EPA; No. 10-60961; 5th Circuit	National Mining Association	CAA	consolidated	consolidated	consolidated
2/16/2011	(10-1380)	Alliance of Automobile Manufacturers, et al. v. EPA; No. 11-1046; D.C. Circuit	Alliance of Automobile Manufacturers; National Marine Manufacturers Association; Outdoor Power Equipment Institute; Association of Global Automakers, Inc.	CAA	consolidated	consolidated	consolidated
2/16/2011	3:11-CV-116 WI	Sierra Club v. EPA; No. 3:11-CV-116; W.D. WI	Sierra Club	CAA	Case pending	n/a	n/a
2/28/2011	(11-1037)	Utility Air Regulatory Group v. EPA; No. 11-1060; D.C. Circuit	Utility Air Regulatory Group	CAA	consolidated	consolidated	consolidated
2/28/2011	11-9517	Utility Air Regulatory Group v. EPA; No. 11-9517; 10th Circuit	Utility Air Regulatory Group	CAA	Dismissed; transferred to DC Circuit	8/15/2011	\$0.00
2/28/2011	(11-9517)	Utility Air Regulatory Group v. EPA; No. 11-9516; 10th Circuit	Utility Air Regulatory Group	CAA	consolidated	consolidated	consolidated
2/28/2011	11-1062	Chase Power Development, LLC v. EPA; No. 11-1062; D.C. Circuit	Chase Power Development, LLC	CAA	Case pending	n/a	n/a
2/28/2011	(11-1037)	Utility Air Regulatory Group v. EPA; No. 11-1059; D.C. Circuit	Utility Air Regulatory Group	CAA	consolidated	consolidated	consolidated
3/1/2011	(11-1037)	State of Texas, et al. v. EPA; No. 11-1063; D.C. Circuit	Barry Smitherman, Texas Public Utility Commissioner; Donna Nelson, Texas Public Utility Commissioner; Greg Abbott, Attorney General of Texas; Kenneth Anderson, Texas Public Utility Commissioner; Rick Perry, Governor of Texas; State of Texas; Texas Commission on Environmental Quality; Texas Department of Agriculture; Texas General Land Office; Texas Railroad Commission	CAA	consolidated	consolidated	consolidated

Suits under the CAA filed from 10/1/2005 through 10/13/2011

Date Opened	Lead (secondary)	Case Information	Plaintiffs/Petitioners	Statute	Outcome/ Disposition	Court Decision Date	Fees & Costs Paid *
3/1/2011	(11-1037)	Coalition for Responsible Regulation, Inc., et al. v. EPA; No. 11-1075; D.C. Circuit	Alpha Natural Resources, Inc.; Coalition for Responsible Regulation, Inc.; Great Northern Project Development, L.P.; Industrial Minerals Association - North America; National Cattlemen's Beef Association; Rosebud Mining Company	CAA	consolidated	consolidated	consolidated
3/1/2011	(11-1037)	Utility Air Regulatory Group v. EPA; No. 11-1076; D.C. Circuit	Utility Air Regulatory Group	CAA	consolidated	consolidated	consolidated
3/1/2011	(11-1037)	SIP/FIP Advocacy Group v. EPA; No. 11-1077; D.C. Circuit	SIP/FIP Advocacy Group	CAA	consolidated	consolidated	consolidated
3/1/2011	(11-1037)	National Mining Association v. EPA; No. 11-1078; D.C. Circuit	National Mining Association	CAA	consolidated	consolidated	consolidated
3/10/2011	(10-1252)	National Environmental Development Association's Clean Air Project v. EPA; No. 11-1073; D.C. Circuit	National Environmental Development Association's Clean Air Project	CAA	consolidated	consolidated	consolidated
3/10/2011	11-60158	Luminant Generation Company, LLC, et al. v. EPA; No. 11-60158; 5th Circuit	Big Brown Power Company, LLC; Luminant Generation Company, LLC	CAA	Held in abeyance	n/a	n/a
3/11/2011	(10-1380)	Grocery Manufacturers Association, et al. v. EPA; No. 11-1072; D.C. Circuit	American Frozen Food Institute; American Meat Institute; American Petroleum Institute; Grocery Manufacturers Association; National Chicken Council; National Council of Chain Restaurants of the National Retail Federation; National Meat Association; National Turkey Federation; Snack Food Association	CAA	consolidated	consolidated	consolidated
3/14/2011	(11-60158)	State of Texas v. EPA; No. 11-60171; 5th Circuit	State of Texas	CAA	consolidated	consolidated	consolidated
3/15/2011	(10-1252)	Montana Sulphur & Chemical Co. v. EPA; No. 11-1080; D.C. Circuit	Montana Sulphur & Chemical Co.	CAA	consolidated	consolidated	consolidated
3/17/2011	(10-1252)	Asarco LLC v. EPA; No. 11-1081; D.C. Circuit	Asarco LLC	CAA	consolidated	consolidated	consolidated
3/17/2011	(10-1252)	ASARCO LLC v. EPA; No. 11-; D.C. Circuit	ASARCO LLC	CAA	consolidated	consolidated	consolidated
3/21/2011	(10-1380)	National Petrochemical & Refiners Association, et al. v. EPA; No. 11-1086; D.C. Circuit	National Petrochemical & Refiners Association; Western States Petroleum Association; International Liquid Terminals Association	CAA	consolidated	consolidated	consolidated
3/24/2011	(1:11-CV-0001)	Environmental Defense Fund v. EPA; No. 1:11-CV-743; D. CO	Environmental Defense Fund	CAA	consolidated	consolidated	consolidated
3/24/2011	(10-1107)	Friends of the Earth v. EPA; No. 11-1089; D.C. Circuit	Friends of the Earth	CAA	consolidated	consolidated	consolidated
3/25/2011	(10-1252)	So2 NAAQS Coalition, et al. v. EPA; No. 11-1090; D.C. Circuit	So2 NAAQS Coalition; Utility Air Regulatory Group	CAA	consolidated	consolidated	consolidated
3/25/2011	11-70868	Robert Simpson, et al. v. EPA; No. 11-70868; 9th Circuit	6029	CAA	Dismissed	5/11/2011	\$0.00

Suits under the CAA filed from 10/1/2005 through 10/13/2011

Date Opened	Lead (secondary)	Case Information	Plaintiffs/Petitioners	Statute	Outcome/ Disposition	Court Decision Date	Fees & Costs Paid *
3/28/2011	(10-1252)	State of North Dakota, et al. v. EPA; No. 11-1092; D.C. Circuit	Louisiana Department of Environmental Quality; State of Nevada; State of North Dakota; State of Louisiana	CAA	consolidated	consolidated	consolidated
3/28/2011	1:11-CV-636	Sierra Club v. EPA; No. 1:11-CV-636; D. C.	Sierra Club	CAA	Case stayed pursuant to CD; fees pursuant to underlying litigation via settlement	11/15/2011	\$5,159.54
3/31/2011	3:11-CV-236	Sierra Club v. EPA; No. 3:11-CV-236; W.D. WI	Sierra Club	CAA	Dismissed following CD	10/6/2011	\$5,000.00
4/7/2011	11-1101	Center for Biological Diversity, et al. v. EPA; No. 11-1101; D.C. Circuit	Center for Biological Diversity; Conservation Law Foundation; Natural Resources Defense Council of Maine, Inc.	CAA	Case pending	n/a	n/a
4/8/2011	(08-16961)	Alabama Power Co. v. EPA; No. 11-11549; 11th Circuit	Alabama Power Co.	CAA	consolidated	consolidated	consolidated
4/14/2011	11-1108	United States Sugar Corporation v. EPA; No. 11-1108 ; D.C. Circuit	United States Sugar Corporation	CAA	Held in abeyance	n/a	n/a
4/18/2011	11-1113	Desert Citizens Against Pollution, et al. v. EPA; No. 11-1113; D.C. Circuit	Desert Citizens Against Pollution; Sierra Club	CAA	Case pending	n/a	n/a
4/18/2011	(11-1089)	National Wildlife Federation v. EPA; No. 11-1110; D.C. Circuit	National Wildlife Federation	CAA	consolidated	consolidated	consolidated
4/21/2011	1:11-CV-769	Navistar, Inc v. EPA; No. 1:11-CV-769; D. C.	Navistar, Inc	CAA	Case stayed pursuant to SA	6/21/2010	n/a
4/25/2011	11-9527	WildEarth Guardians v. EPA; No. 11-9527 ; 10th Circuit	WildEarth Guardians	CAA	Decided in EPA's favor	1/17/2012	\$0.00
4/27/2011	11-71127	California Communities Against Toxics, et al. v. EPA; No. 11-71127; 9th Circuit	California Communities Against Toxics; Communities for a Better Environment	CAA	Dismissed following settlement	2/21/2012	\$0.00
4/29/2011	(11-1108)	American Forest & Paper Association, et al. v. EPA; No. 11-1124; D.C. Circuit	American Coke and Coal Chemicals Institute; American Forest & Paper Association; American Iron and Steel Institute; American Municipal Power, Inc.; American Wood Council; Biomass Power Association; Chamber of Commerce of the United States of America; Corn Refiners Association; National Association of Manufacturers; National Oilseed Processors Association; Society of Chemical Manufacturers and Affiliates; Treated Wood Council	CAA	consolidated	consolidated	consolidated

Suits under the CAA filed from 10/1/2005 through 10/13/2011

Date Opened	Lead (secondary)	Case Information	Plaintiffs/Petitioners	Statute	Outcome/ Disposition	Court Decision Date	Fees & Costs Paid *
4/29/2011	11-1125	American Forest & Paper Association, Inc., et al. v. EPA; No. 11-1125; D.C. Circuit	American Coke and Coal Chemicals Institute; American Forest & Paper Association, Inc.; American Iron and Steel Institute; American Municipal Power, Inc.; American Wood Council; Biomass Power Association; Chamber of Commerce of the United States of America; Corn Refiners Association; National Association of Manufacturers; National Oilseed Processors Association; Rubber Manufacturers Association; Society of Chemical Manufacturers and Affiliates; Treated Wood Council	CAA	Held in abeyance	n/a	n/a
4/29/2011	3:11-CV-315	Sierra Club v. EPA; No. 3:11-CV-315; W.D. WI	Sierra Club	CAA	Case pending	n/a	n/a
5/4/2011	(10-1425)	Rick Perry, Governor of Texas, et al. v. EPA; No. 11-1128; D.C. Circuit	Barry Smitherman, Texas Public Utility Commissioner; Donna Nelson, Texas Public Utility Commissioner; Greg Abbott, Attorney General of Texas; Kenneth Anderson, Texas Public Utility Commissioner; Rick Perry, Governor of Texas; Texas Commission on Environmental	CAA	consolidated	consolidated	consolidated
5/6/2011	2:11-CV- 600	Snyder Computer Systems d.b.a. Wildfire Motors v. EPA; No. 2:11-CV-600 ; W.D. PA	Snyder Computer Systems d.b.a. Wildfire Motors	CAA	Dismissed	9/13/2011	\$0.00
5/6/2011	11-1131	National Association of Clean Water Agencies v. EPA; No. 11-1131; D.C. Circuit	National Association of Clean Water Agencies	CAA	Case pending	n/a	n/a
5/12/2011	(11-1108)	American Petroleum Institute v. EPA; No. 11-1134; D.C. Circuit	American Petroleum Institute	CAA	consolidated	consolidated	consolidated
5/17/2011	(11-1108)	American Chemistry Council v. EPA; No. 11-1142; D.C. Circuit	American Chemistry Council	CAA	consolidated	consolidated	consolidated
5/17/2011	(11-1108)	Coalition for Responsible Waste Incineration v. EPA; No. 11-1145; D.C. Circuit	Coalition for Responsible Waste Incineration	CAA	consolidated	consolidated	consolidated
5/17/2011	(11-1125)	Coalition for Responsible Waste Incineration v. EPA; No. 11-1144; D.C. Circuit	Coalition for Responsible Waste Incineration	CAA	consolidated	consolidated	consolidated
5/17/2011	11-1141	American Chemistry Council v. EPA; No. 11-1141; D.C. Circuit	American Chemistry Council	CAA	Held in abeyance	n/a	n/a
5/18/2011	11-1167	Hatfield Township Municipal Authority v. EPA; No. 11-1167; D.C. Circuit	Hatfield Township Municipal Authority	CAA	Case pending	n/a	n/a
5/19/2011	(11-1108)	Waste Management, Inc. v. EPA; No. 11-1149; D.C. Circuit	Waste Management, Inc.	CAA	consolidated	consolidated	consolidated
5/19/2011	(11-1108)	Waste Management, Inc. v. EPA; No. 11-1147; D.C. Circuit	Waste Management, Inc.	CAA	consolidated	consolidated	consolidated
5/19/2011	(11-1108)	American Foundry Society, Inc. v. EPA; No. 11-1152; D.C. Circuit	American Foundry Society, Inc.	CAA	consolidated	consolidated	consolidated

Suits under the CAA filed from 10/1/2005 through 10/13/2011

Date Opened	Lead (secondary)	Case Information	Plaintiffs/Petitioners	Statute	Outcome/ Disposition	Court Decision Date	Fees & Costs Paid *
5/19/2011	(11-1108)	Julander Energy Company v. EPA; No. 11-1157; D.C. Circuit	Julander Energy Company	CAA	consolidated	consolidated	consolidated
5/19/2011	(11-1108)	Wisconsin Electric Power Company v. EPA; No. 11-1166; D.C. Circuit	Wisconsin Electric Power Company	CAA	consolidated	consolidated	consolidated
5/19/2011	(11-1108)	Hatfield Township Municipal Authority v. EPA; No. 11-1167; D.C. Circuit	Hatfield Township Municipal Authority	CAA	consolidated	consolidated	consolidated
5/19/2011	(11-1108)	Council of Industrial Boiler Owners v. EPA; No. 11-1159; D.C. Circuit	Council of Industrial Boiler Owners	CAA	consolidated	consolidated	consolidated
5/19/2011	(11-1108)	Auto Industry Forum v. EPA; No. 11-1160; D.C. Circuit	Auto Industry Forum	CAA	consolidated	consolidated	consolidated
5/19/2011	(11-1108)	Tesoro Hawaii Corporation, et al. v. EPA; No. 11-1162; D.C. Circuit	Tesoro Hawaii Corporation; Hovensa, LLC	CAA	consolidated	consolidated	consolidated
5/19/2011	(11-1125)	Council of Industrial Boiler Owners v. EPA; No. 11-1161; D.C. Circuit	Council of Industrial Boiler Owners	CAA	consolidated	consolidated	consolidated
5/19/2011	(11-1125)	American Foundry Society, Inc. v. EPA; No. 11-1153; D.C. Circuit	American Foundry Society, Inc.	CAA	consolidated	consolidated	consolidated
5/19/2011	(11-1125)	Cement Kiln Recycling Coalition v. EPA; No. 11-1154; D.C. Circuit	Cement Kiln Recycling Coalition	CAA	consolidated	consolidated	consolidated
5/19/2011	(11-1125)	Portland Cement Association v. EPA; No. 11-1154; D.C. Circuit	Portland Cement Association	CAA	consolidated	consolidated	consolidated
5/19/2011	(11-1125)	Waste Management, Inc. v. EPA; No. 11-1149; D.C. Circuit	Waste Management, Inc.	CAA	consolidated	consolidated	consolidated
5/19/2011	(11-1125)	Auto Industry Forum v. EPA; No. 11-1163; D.C. Circuit	Auto Industry Forum	CAA	consolidated	consolidated	consolidated
5/19/2011	(11-1125)	Auto Industry Forum v. EPA; No. 11-1164; D.C. Circuit	Auto Industry Forum	CAA	consolidated	consolidated	consolidated
5/19/2011	(11-1141)	Julander Energy Company v. EPA; No. 11-1156; D.C. Circuit	Julander Energy Company	CAA	consolidated	consolidated	consolidated
5/20/2011	(11-1108)	Sierra Club v. EPA; No. 11-1181; D.C. Circuit	Sierra Club	CAA	consolidated	consolidated	consolidated
5/20/2011	(11-1108)	State of Arkansas, et al. v. EPA; No. 11-1169; D.C. Circuit	State of Arkansas; Dustin McDaniel, Attorney General; State of Alabama; Luther Strange, Attorney General; State of Georgia; Sam Olens, Attorney General	CAA	consolidated	consolidated	consolidated
5/20/2011	(11-1108)	American Home Furnishings Alliance, Inc. v. EPA; No. 11-1170; D.C. Circuit	American Home Furnishings Alliance, Inc.	CAA	consolidated	consolidated	consolidated
5/20/2011	(11-1108)	JELD-WEN, Inc. v. EPA; No. 11-1174; D.C. Circuit	JELD-WEN, Inc.	CAA	consolidated	consolidated	consolidated
5/20/2011	(11-1108)	Southeastern Lumber Manufacturers Association, Inc. v. EPA; No. 11-1172; D.C. Circuit	Southeastern Lumber Manufacturers Association, Inc.	CAA	consolidated	consolidated	consolidated
5/20/2011	(11-1108)	Utility Air Regulatory Group v. EPA; No. 11-1165; D.C. Circuit	Utility Air Regulatory Group	CAA	consolidated	consolidated	consolidated
5/20/2011	(11-1125)	Sierra Club, et al. v. EPA; No. 11-1183; D.C. Circuit	Huron Environmental Activist League; Montanans Against Toxic Burning; Sierra Club	CAA	consolidated	consolidated	consolidated
5/20/2011	(11-1125)	Arippa v. EPA; No. 11-1186; D.C. Circuit	Arippa	CAA	consolidated	consolidated	consolidated

Suits under the CAA filed from 10/1/2005 through 10/13/2011

Date Opened	Lead (secondary)	Case Information	Plaintiffs/Petitioners	Statute	Outcome/ Disposition	Court Decision Date	Fees & Costs Paid *
5/20/2011	(11-1125)	Northern States Power Company v. EPA; No. 11-1178; D.C. Circuit	Northern States Power Company	CAA	consolidated	consolidated	consolidated
5/20/2011	(11-1125)	American Petroleum Institute v. EPA; No. 11-1180; D.C. Circuit	American Petroleum Institute	CAA	consolidated	consolidated	consolidated
5/20/2011	(11-1125)	Edison Mission Energy v. EPA; No. 11-1175; D.C. Circuit	Edison Mission Energy	CAA	consolidated	consolidated	consolidated
5/20/2011	(11-1125)	JELD-WEN, Inc. v. EPA; No. 11-1176; D.C. Circuit	JELD-WEN, Inc.	CAA	consolidated	consolidated	consolidated
5/20/2011	(11-1125)	Eastman Chemical Company v. EPA; No. 11-1171; D.C. Circuit	Eastman Chemical Company	CAA	consolidated	consolidated	consolidated
5/20/2011	(11-1125)	Ash Grove Cement Company v. EPA; No. 11-1173; D.C. Circuit	Ash Grove Cement Company	CAA	consolidated	consolidated	consolidated
5/20/2011	11-1184	Sierra Club v. EPA; No. 11-1184; D.C. Circuit	Sierra Club	CAA	Case pending	n/a	n/a
5/20/2011	(11-1131)	Sierra Club v. EPA; No. 11-1185; D.C. Circuit	Sierra Club	CAA	consolidated	consolidated	consolidated
5/20/2011	(11-1141)	Sierra Club v. EPA; No. 11-1182; D.C. Circuit	Sierra Club	CAA	consolidated	consolidated	consolidated
5/23/2011	(11-1125)	Rhodia Inc. v. EPA; No. 11-1188; D.C. Circuit	Rhodia Inc.	CAA	consolidated	consolidated	consolidated
5/26/2011	11-1193	Utility Air Regulatory Group v. EPA; No. 11-1193; D.C. Circuit	Utility Air Regulatory Group	CAA	Dismissed	11/18/2011	\$0.00
5/31/2011	1:11-CV-461	WildEarth Guardians v. EPA; No. 1:11-CV-461; D. NM	WildEarth Guardians	CAA	Dismissed following settlement	11/14/2011	\$1,000.00
5/31/2011	5:11-CV-0605	State of Oklahoma v. EPA; No. 5:11-CV-0605; W.D. OK	State of Oklahoma	CAA	Dismissed	1/5/2012	\$0.00
5/31/2011	11-1194	American Petroleum Institute, et al. v. EPA; No. 11-1194; D.C. Circuit	American Petroleum Institute; National Petrochemical & Refiners Association	CAA	Dismissed	9/28/2011	\$0.00
6/7/2011	(10-1359)	Portland Cement Association, et al. v. EPA; No. 11-1206; D.C. Circuit	Ash Grove Cement; Cemex; Eagle Materials, Inc.; Holcim (US) Inc.; LaFarge Building Materials, Incorporated; LaFarge Midwest Incorporated; LaFarge North America, Incorporated; Lehigh Cement Company; Portland Cement Association; Riverside Cement Company; TXI Operations, Inc.	CAA	consolidated	consolidated	consolidated
6/8/2011	(11-1141)	American Petroleum Institute v. EPA; No. 11-1207; D.C. Circuit	American Petroleum Institute	CAA	consolidated	consolidated	consolidated
6/8/2011	(11-1141)	Council of Industrial Boiler Owners v. EPA; No. 11-1208; D.C. Circuit	Council of Industrial Boiler Owners	CAA	consolidated	consolidated	consolidated
6/17/2011	2788202	U.S. Magnesium LLC v. EPA; No. 11-9533; 10th Circuit	U.S. Magnesium LLC	CAA	Case pending	n/a	n/a
6/23/2011	4:11-CV-3106	Sierra Club, et al. v. EPA; No. 4:11-CV-3106; N.D. CA	Medical Advocates for Healthy Air; Sierra Club	CAA	Case pending	n/a	n/a

Suits under the CAA filed from 10/1/2005 through 10/13/2011

Date Opened	Lead (secondary)	Case Information	Plaintiffs/Petitioners	Statute	Outcome/ Disposition	Court Decision Date	Fees & Costs Paid *
6/28/2011	11-1244	Portland Cement Association, et al. v. EPA; No. 11-1244; D.C. Circuit	Ash Grove Cement Company; Cemex; Eagle Materials, Inc.; Holcim (US) Inc.; LaFarge Building Materials, Incorporated; LaFarge Midwest Incorporated; LaFarge North America, Incorporated; Lehigh Cement Company; Portland Cement Association; Riverside Cement Company; TXI Operations, Inc.	CAA	Case pending	n/a	n/a
6/28/2011	(11-1244)	Portland Cement Association, et al. v. EPA; No. 11-1245; D.C. Circuit	Ash Grove Cement Company; Cemex; Eagle Materials, Inc.; LaFarge Building Materials, Incorporated; LaFarge Midwest Incorporated; LaFarge North America, Incorporated; Lehigh Cement Company; Portland Cement Association; Riverside Cement Company; TXI Operations, Inc.	CAA	consolidated	consolidated	consolidated
6/30/2011	1:11-CV-04492	Environmental Defense Fund v. EPA; No. 1:11-CV-04492; S.D. NY	Environmental Defense Fund	CAA	Stayed	n/a	n/a
7/5/2011	(11-1128)	Utility Air Regulatory Group v. EPA; No. 11-1247; D.C. Circuit	Utility Air Regulatory Group	CAA	consolidated	consolidated	consolidated
7/5/2011	(11-1128)	SIP/FIP Advocacy Group, et al. v. EPA; No. 11-1250; D.C. Circuit	SIP/FIP Advocacy Group; Texas Association of Business; Texas Association of Manufacturers; Texas Chemical Council	CAA	consolidated	consolidated	consolidated
7/5/2011	11-1249	Chase Power Development, LLC v. EPA; No. 11-1249; D.C. Circuit	Chase Power Development, LLC	CAA	Case pending	n/a	n/a
7/5/2011	1:11-CV-1234	Navistar, Inc v. EPA; No. 1:11-CV-01234; D.C.	Navistar, Inc.	CAA	Voluntarily dismissed by Plaintiff	3/8/2012	\$0.00
7/6/2011	(10-1004)	ATK Launch Systems, Inc. v. EPA; No. 11-1252; D.C. Circuit	ATK Launch Systems, Inc.	CAA	consolidated	consolidated	consolidated
7/6/2011	(10-1004)	Tooele County Utah, et al. v. EPA; No. 11-1253; D.C. Circuit	Tooele City Corporation; Tooele County Utah	CAA	consolidated	consolidated	consolidated
7/6/2011	(10-1004)	Box Elder County, Utah, et al. v. EPA; No. 11-1254; D.C. Circuit	Box Elder County, Utah; Brigham City Corporation, Utah	CAA	consolidated	consolidated	consolidated
7/8/2011	11-71897	American Road & Transportation Builders Association v. EPA; No. 11-71897; 9th Circuit	American Road & Transportation Builders Association	CAA	Stayed	n/a	n/a
7/8/2011	11-71905	National Association of Home Builders v. EPA; No. 11-71905; 9th Circuit	National Association of Home Builders	CAA	Dismissed	11/29/2011	\$0.00
7/8/2011	11-1256	American Road & Transportation Builders Association v. EPA; No. 11-1256; D.C. Circuit	American Road & Transportation Builders Association	CAA	Case pending	n/a	n/a
7/8/2011	1:11-CV-1253	Kentucky Environmental Foundation v. EPA; No. 1:11-CV-1253; D. D.C.	Kentucky Environmental Foundation	CAA	Held In abeyance	n/a	n/a
7/14/2011	(11-1108)	Sierra Club v. EPA; No. 1:11-CV-1278; D. D.C.	Sierra Club	CAA	consolidated	consolidated	consolidated
7/14/2011	11-1261	Robert Wagner v. EPA; No. 11-1261; D.C. Circuit	Robert Wagner	CAA	Decided in EPA's favor	12/27/2011	\$0.00

Suits under the CAA filed from 10/1/2005 through 10/13/2011

Date Opened	Lead (secondary)	Case Information	Plaintiffs/Petitioners	Statute	Outcome/ Disposition	Court Decision Date	Fees & Costs Paid *
7/15/2011	(11-1108)	Sierra Club v. EPA; No. 11-1263; D.C. Circuit	Sierra Club	CAA	consolidated	consolidated	consolidated
7/18/2011	2:11-CV-5885	Physicians For Social Responsibility Los Angeles Desert Citizens Against Pollution, et al. v. EPA; No. 2:11-CV-5885; C.D. CA	Communities for a Better Environment; Natural Resources Defense Council; Physicians For Social Responsibility Los Angeles; Desert Citizens Against Pollution	CAA	Case pending	n/a	n/a
7/18/2011	4:11-CV-3515	Medical Advocates for Healthy Air, et al. v. EPA; No. 4:11-CV-3515; N.D. CA	Medical Advocates for Healthy Air; Sierra Club	CAA	Case pending	n/a	n/a
7/27/2011	11-02203	ALEC L, by and through his Guardian Ad, et al. v. EPA; No. 11-02203; N.D. CA	ALEC L, ALEC L, by and through his Guardian Ad Litem VICTORIA LOORZ GARRETT S., by and through his Guardian Ad Litem VALERIE SERRELS GRANT S., by and through his Guardian Ad Litem VALERIE SERRELS KIDS vs GLOBAL WARMING WildEarth Guardians ZOE J., by and	CAA	Case pending	n/a	n/a
8/1/2011	3:11-CV-3779	El Comité para el Bienestar de Earlimart, et al. v. EPA; No. 3:11-CV-3779; ND CA	El Comité para el Bienestar de Earlimart; Association of Irrigated Residents	CAA	Case stayed pursuant to CD	1/24/2012	n/a
8/15/2011	(11-1101)	Center for Biological Diversity, et al. v. EPA; No. 11-1285; D.C. Circuit	Center for Biological Diversity; Conservation Law Foundation; Georgia Forest Watch; Natural Resources Council of Maine; Wild Virginia	CAA	consolidated	consolidated	consolidated
8/17/2011	(11-1037)	National Mining Association v. EPA; No. 11-1290; D.C. Circuit	National Mining Association	CAA	consolidated	consolidated	consolidated
8/17/2011	(11-1037)	Utility Air Regulatory Group v. EPA; No. 11-1291; D.C. Circuit	Utility Air Regulatory Group	CAA	consolidated	consolidated	consolidated
8/17/2011	(11-1037)	Utility Air Regulatory Group v. EPA; No. 11-1292; D.C. Circuit	Utility Air Regulatory Group	CAA	consolidated	consolidated	consolidated
8/17/2011	(11-1037)	Utility Air Regulatory Group v. EPA; No. 11-1293; D.C. Circuit	Utility Air Regulatory Group	CAA	consolidated	consolidated	consolidated
8/17/2011	(11-1037)	State of Wyoming v. EPA; No. 11-1287; D.C. Circuit	State of Wyoming	CAA	consolidated	consolidated	consolidated
8/17/2011	(11-1037)	State of Wyoming v. EPA; No. 11-1288; D.C. Circuit	State of Wyoming	CAA	consolidated	consolidated	consolidated
8/17/2011	(11-1037)	State of Wyoming v. EPA; No. 11-1289; D.C. Circuit	State of Wyoming	CAA	consolidated	consolidated	consolidated
8/18/2011	11-3885	Kaiser Aluminum Fabricated Products, LLC v. EPA; No. 11-3885; 6th Circuit	Kaiser Aluminum Fabricated Products, LLC	CAA	Case pending	n/a	n/a
8/22/2011	11-72445	The Amalgamated Sugar Company LLC v. EPA; No. 11-72445; 9th Circuit	The Amalgamated Sugar Company LLC	CAA	Stayed	n/a	n/a
8/23/2011	11-1302	EME Homer City Generation, L.P. v. EPA; No. 11-1302; D.C. Circuit	EME Homer City Generation, L.P.	CAA	Case pending	n/a	n/a
8/24/2011	1:11-CV-2227	WildEarth Guardians v. EPA; No. 1:11-CV-2227; D. CO	WildEarth Guardians	CAA	Stayed	n/a	n/a
8/24/2011	2:11-CV-1661	WildEarth Guardians v. EPA; No. 2:11-CV-1661; D. AZ	WildEarth Guardians	CAA	Case pending	n/a	n/a

Suits under the CAA filed from 10/1/2005 through 10/13/2011

Date Opened	Lead (secondary)	Case Information	Plaintiffs/Petitioners	Statute	Outcome/ Disposition	Court Decision Date	Fees & Costs Paid *
8/29/2011	11-9552	WildEarth Guardians v. EPA; No. 11-9552; 10th Circuit	WildEarth Guardians	CAA	Case pending	n/a	n/a
8/29/2011	1:11-CV-1548	National Parks Conservation Association, et al. v. EPA; No. 1:11-CV-1548; D. D.C.	Environmental Defense Fund; Montana Environmental Information Center; National Parks Conservation Association; Our Children's Earth Foundation; San Juan Citizens Alliance; Sierra Club; Grand Canyon Trust; Plains Justice; Powder River Basin Resource Council	CAA	Case pending	n/a	n/a
8/29/2011	11-1307	Oklahoma Department of Environmental Quality v. EPA; No. 11-1307; D.C. Circuit	Oklahoma Department of Environmental Quality	CAA	Case pending	n/a	n/a
8/30/2011	(11-1307)	American Petroleum Institute, et al. v. EPA; No. 11-1309; D.C. Circuit	American Petroleum Institute; Independent Petroleum Association of America	CAA	consolidated	consolidated	consolidated
8/31/2011	1:11-CV-01576	Sierra Club v. EPA; No. 1:11-CV-01576; D. D.C.	Sierra Club	CAA	Dismissed	1/17/2012	\$0.00
9/8/2011	11-9555	Holly Refining & Marketing-Tulsa LLC v. EPA; No. 11-9555; 10th Circuit	Holly Refining & Marketing-Tulsa LLC	CAA	Dismissed	11/18/2011	\$0.00
9/12/2011	(11-1302)	Luminant Generation Company, LLC, et al. v. EPA; No. 11-1315; D.C. Circuit	Luminant Generation Company, LLC; Sandow Power Company, LLC; Oak Grove Management Company, LLC; Luminant Mining Company, LLC; Big Brown Lignite Company, LLC; Luminant Big Brown Mining Company, LLC; Luminant Energy Company, LLC; Luminant Holding Company, LLC; Big Brown Paper Company, LLC	CAA	consolidated	consolidated	consolidated
9/13/2011	(11-1302)	GenOn Energy, Inc. v. EPA; No. 11-1323; D.C. Circuit	GenOn Energy, Inc.	CAA	consolidated	consolidated	consolidated
9/16/2011	11-9557	Public Service Company of New Mexico v. EPA; No. 11-9557; 10th Circuit	Public Service Company of New Mexico	CAA	Case pending	n/a	n/a
9/19/2011	(11-1101)	Coastal Conservation League, et al. v. EPA; No. 11-1336; D.C. Circuit	Coastal Conservation League; Dogwood Alliance	CAA	consolidated	consolidated	consolidated
9/19/2011	(11-1101)	Natural Resources Defense Council v. EPA; No. 11-1328; D.C. Circuit	Natural Resources Defense Council	CAA	consolidated	consolidated	consolidated
9/19/2011	11-9559	WildEarth Guardians v. EPA; No. 11-9559; 10th Circuit	WildEarth Guardians	CAA	Case pending	n/a	n/a
9/19/2011	11-3988	State of Ohio v. EPA; No. 11-3988; 6th Circuit	State of Ohio	CAA	Held in abeyance	n/a	n/a
9/19/2011	11-1333	Westar Energy, Inc., et al. v. EPA; No. 11-1333; D.C. Circuit	Westar Energy, Inc.; Kansas City Board of Public Utilities	CAA	Held in abeyance	n/a	n/a
9/19/2011	(11-1333)	State of Kansas v. EPA; No. 11-1329; D.C. Circuit	State of Kansas	CAA	consolidated	consolidated	consolidated
9/20/2011	(11-1302)	State of Texas, et al. v. EPA; No. 11-1338; D.C. Circuit	State of Texas; Texas Commission on Environmental Quality; Texas General Land Office; Texas Public Utilities Commission; Texas Railroad Commission	CAA	consolidated	consolidated	consolidated

Suits under the CAA filed from 10/1/2005 through 10/13/2011

Date Opened	Lead (secondary)	Case Information	Plaintiffs/Petitioners	Statute	Outcome/ Disposition	Court Decision Date	Fees & Costs Paid *
9/20/2011	11-1334	Alliance of Automobile Manufacturers, et al. v. EPA; No. 11-1334; D.C. Circuit	Alliance of Automobile Manufacturers; Association of Global Automakers, Inc.; National Marine Manufacturers Association; Outdoor Power Equipment Institute	CAA	Held in abeyance	n/a	n/a
9/22/2011	1:11CV1713	American Road & Transportation Builders Association v. EPA; No. 1:11CV1713; D.C.	American Road & Transportation Builders Association	CAA	Case pending	n/a	n/a
9/23/2011	(11-1302)	State of Nebraska, et al. v. EPA; No. 11-1340; D.C. Circuit	State of Alabama; State of Nebraska; State of Oklahoma; State of South Carolina; State of Texas; State of Florida; State of Virginia	CAA	consolidated	consolidated	consolidated
9/23/2011	(11-1334)	American Petroleum Institute v. EPA; No. 11-1344; D.C. Circuit	American Petroleum Institute	CAA	consolidated	consolidated	consolidated
9/26/2011	(11-1334)	American Petroleum Institute v. EPA; No. 11-1344; D.C. Circuit	American Petroleum Institute	CAA	consolidated	consolidated	consolidated
9/27/2011	(11-1302)	Wisconsin Public Service Corporation v. EPA; No. 11-1350; D.C. Circuit	Wisconsin Public Service Corporation	CAA	consolidated	consolidated	consolidated
9/30/2011	(11-1302)	National Mining Association v. EPA; No. 11-1357; D.C. Circuit	National Mining Association	CAA	consolidated	consolidated	consolidated
10/3/2011	(11-1302)	Utility Air Regulatory Group v. EPA; No. 11-1358; D.C. Circuit	Utility Air Regulatory Group	CAA	consolidated	consolidated	consolidated
10/4/2011	(11-1302)	Murray Energy Corporation, et al. v. EPA; No. 11-1359; D.C. Circuit	Murray Energy Corporation; American Energy Corporation; Ohio Valley Coal Company; OhioAmerican Energy, Incorporated; American Coal Company; Kenamerican Resources, Inc.; UtahAmerican Energy, Inc.	CAA	consolidated	consolidated	consolidated
10/5/2011	(11-1302)	Entergy Corporation v. EPA; No. 11-1360; D.C. Circuit	Entergy Corporation	CAA	consolidated	consolidated	consolidated
10/5/2011	(11-1302)	Lafayette Utilities System v. EPA; No. 11-1361; D.C. Circuit	Lafayette Utilities System	CAA	consolidated	consolidated	consolidated
10/5/2011	(11-1302)	Midwest Ozone Group v. EPA; No. 11-1362; D.C. Circuit	Midwest Ozone Group	CAA	consolidated	consolidated	consolidated
10/5/2011	(11-1302)	State of Louisiana, et al. v. EPA; No. 11-1364; D.C. Circuit	State of Louisiana; Louisiana Department of Environmental Quality; Louisiana Public Service Commission	CAA	consolidated	consolidated	consolidated
10/6/2011	(11-1302)	Wisconsin Electric Power Company v. EPA; No. 11-1363; D.C. Circuit	Wisconsin Electric Power Company	CAA	consolidated	consolidated	consolidated
10/6/2011	(11-1302)	Louisiana Chemical Association v. EPA; No. 11-1365; D.C. Circuit	Louisiana Chemical Association	CAA	consolidated	consolidated	consolidated
10/6/2011	(11-1302)	Peabody Energy Corporation v. EPA; No. 11-1366; D.C. Circuit	Peabody Energy Corporation	CAA	consolidated	consolidated	consolidated
10/6/2011	(11-1302)	State of Georgia v. EPA; No. 11-1367; D.C. Circuit	State of Georgia	CAA	consolidated	consolidated	consolidated
10/6/2011	(11-1302)	City of Springfield, Illinois, Office of Public Utilities v. EPA; No. 11-1368; D.C. Circuit	City of Springfield, Illinois, Office of Public Utilities	CAA	consolidated	consolidated	consolidated

Suits under the CAA filed from 10/1/2005 through 10/13/2011

Date Opened	Lead (secondary)	Case Information	Plaintiffs/Petitioners	Statute	Outcome/ Disposition	Court Decision Date	Fees & Costs Paid *
10/6/2011	(11-1302)	AEP Texas North Company, et al. v. EPA; No. 11-1369; D.C. Circuit	Appalachian Power Co.; Columbus Southern Power Company; AEP Texas North Company; Indiana Michigan Power Company; Kentucky Power Company; Ohio Power Company; Public Service Company of Oklahoma; Southwestern Electric Power Company	CAA	consolidated	consolidated	consolidated
10/6/2011	(11-1302)	United Mine Workers of America v. EPA; No. 11-1371; D.C. Circuit	United Mine Workers of America	CAA	consolidated	consolidated	consolidated
10/6/2011	11-1370	Honeywell International, Inc., et al. v. EPA; No. 11-1370; D.C. Circuit	E. I. du Pont de Nemours and Company; Honeywell International, Inc.	CAA	Dismissed	11/18/2011	\$0.00
10/7/2011	(11-1302)	Environmental Committee of the Florida Electric Power Coordinating Group, Inc. v. EPA; No. 11-1373; D.C. Circuit	Environmental Committee of the Florida Electric Power Coordinating Group, Inc.	CAA	consolidated	consolidated	consolidated
10/7/2011	(11-1302)	Kansas City Board of Public Utilities, et al. v. EPA; No. 11-1374; D.C. Circuit	Kansas City Board of Public Utilities; Kansas Gas and Electric Company; Sunflower Electric Power Corporation; Westar Energy, Inc.	CAA	consolidated	consolidated	consolidated
10/7/2011	(11-1302)	Southwestern Public Service Company v. EPA; No. 11-1375; D.C. Circuit	Southwestern Public Service Company	CAA	consolidated	consolidated	consolidated
10/7/2011	(11-1302)	Northern States Power Company v. EPA; No. 11-1376; D.C. Circuit	Northern States Power Company	CAA	consolidated	consolidated	consolidated
10/7/2011	(11-1302)	Wisconsin Paper Council, Inc., et al. v. EPA; No. 11-1377; D.C. Circuit	Wisconsin Manufacturers and Commerce; Wisconsin Paper Council, Inc.; Midwest Food Processors Association; Wisconsin Cast Metals Association	CAA	consolidated	consolidated	consolidated
10/7/2011	(11-1302)	City of Ames, Iowa v. EPA; No. 11-1378; D.C. Circuit	City of Ames, Iowa	CAA	consolidated	consolidated	consolidated
10/7/2011	(11-1302)	Municipal Electric Authority of Georgia v. EPA; No. 11-1379; D.C. Circuit	Municipal Electric Authority of Georgia	CAA	consolidated	consolidated	consolidated
10/7/2011	(11-1302)	South Mississippi Electric Power Association v. EPA; No. 11-1380; D.C. Circuit	South Mississippi Electric Power Association	CAA	consolidated	consolidated	consolidated
10/7/2011	(11-1302)	National Rural Electric Cooperative Association v. EPA; No. 11-1381; D.C. Circuit	National Rural Electric Cooperative Association	CAA	consolidated	consolidated	consolidated
10/7/2011	(11-1302)	Consolidated Edison Company of New York, Inc. v. EPA; No. 11-1388; D.C. Circuit	Consolidated Edison Company of New York, Inc.	CAA	consolidated	consolidated	consolidated
10/7/2011	(11-1302)	State of Indiana v. EPA; No. 11-1372 ;D.C. Circuit	State of Indiana	CAA	consolidated	consolidated	consolidated
10/7/2011	(11-1302)	Sunbury Generation LP v. EPA; No. 11-1382; D.C. Circuit	Sunbury Generation LP	CAA	consolidated	consolidated	consolidated
10/7/2011	(11-1302)	ARIPPA v. EPA; No. 11-1383; D.C. Circuit	ARIPPA	CAA	consolidated	consolidated	consolidated
10/7/2011	(11-1302)	East Kentucky Power Cooperative Inc. v. EPA; No. 11-1384; D.C. Circuit	East Kentucky Power Cooperative Inc.	CAA	consolidated	consolidated	consolidated

Suits under the CAA filed from 10/1/2005 through 10/13/2011

Date Opened	Lead (secondary)	Case Information	Plaintiffs/Petitioners	Statute	Outcome/ Disposition	Court Decision Date	Fees & Costs Paid *
10/7/2011	(11-1302)	CPI USA North Carolina LLC v. EPA; No. 11-1385; D.C. Circuit	CPI USA North Carolina LLC	CAA	consolidated	consolidated	consolidated
10/7/2011	(11-1302)	State of Michigan, et al. v. EPA; No. 11-1386; D.C. Circuit	State of Michigan; Mississippi Public Service Commission	CAA	consolidated	consolidated	consolidated
10/7/2011	(11-1302)	Western Farmers Electric Cooperative v. EPA; No. 11-1387; D.C. Circuit	Western Farmers Electric Cooperative	CAA	consolidated	consolidated	consolidated
10/7/2011	(11-1302)	Southern Company Services, Inc., et al. v. EPA; No. 11-1389; D.C. Circuit	Alabama Power Co.; Georgia Power Company; Southern Company Services, Inc.; Gulf Power Company; Mississippi Power Company; Southern Power Company	CAA	consolidated	consolidated	consolidated
10/7/2011	(11-1302)	International Brotherhood of Electrical Workers, AFL-CIO v. EPA; No. 11-1390; D.C. Circuit	International Brotherhood of Electrical Workers, AFL-CIO	CAA	consolidated	consolidated	consolidated
10/7/2011	(11-1302)	DTE Stoneman, LLC v. EPA; No. 11-1391; D.C. Circuit	DTE Stoneman, LLC	CAA	consolidated	consolidated	consolidated
10/7/2011	(11-1302)	State of Ohio v. EPA; No. 11-1392; D.C. Circuit	State of Ohio	CAA	consolidated	consolidated	consolidated
10/7/2011	(11-1302)	State of Wisconsin v. EPA; No. 11-1393; D.C. Circuit	State of Wisconsin	CAA	consolidated	consolidated	consolidated
10/7/2011	(11-1302)	Dairyland Power Cooperative v. EPA; No. 11-1394; D.C. Circuit	Dairyland Power Cooperative	CAA	consolidated	consolidated	consolidated
10/7/2011	(11-1302)	Environmental Energy Alliance of New York, LLC v. EPA; No. 11-1395; D.C. Circuit	Environmental Energy Alliance of New York, LLC	CAA	consolidated	consolidated	consolidated
10/11/2011	(11-1302)	Michael T. Pheiff v. EPA; No. 11-1399; D.C. Circuit	Michael T. Pheiff	CAA	consolidated	consolidated	consolidated
10/11/2011	11-1396	American Lung Association, et al. v. EPA; No. 11-1396; D.C. Circuit	American Lung Association; Appalachian Mountain Club; Environmental Defense Fund; Natural Resources Defense Council	CAA	Decided in EPA's favor	2/17/2012	\$0.00

Air - Settlement Agreements and Consent Decrees
10/1/2005 through 10/13/2011

Date SA/CD Entry	SA or CD?	Case Info	Plaintiffs/Petitioners	Statute	Summary of SA/CD	Fees & Costs Paid
10/6/2005	SA	American Chemistry Council v. EPA; No. 04-1004; D.C. Circuit	American Chemistry Council	CAA	EPA committed to conduct notice and comment rulemaking to revise specified provisions of the Miscellaneous Organic Chemical Manufacturing MACT.	\$0.00
11/30/2005	SA	South Jersey Environmental Justice Alliance, et al. v. EPA; No. 05-CV-6881; S.D. NY	South Jersey Environmental Justice Alliance, New Jersey Public Interest Research Group, South Camden Citizens in Action and New Jersey Environmental Federation	CAA	EPA committed to a response to a Title V petition regarding Camden County Energy Recovery Associate's Camden NJ facility by January 20, 2006.	\$5,502.00
12/13/2005	CD	Environmental Defense Fund v. EPA; No. 05-2090; N.D. CA	Environmental Defense Fund	CAA	EPA committed to either granting (after notice and comment) or denying EDF's petition to list diesel exhaust as a HAP by May 11, 2011, but EPA would not need to take action on the petition if EPA promulgated NESHAP for diesel engines above 300 HP by February 10, 2010 (later switched to February 17, 2010).	\$16,070.00
12/20/2005	CD	Sierra Club, et al. v. EPA; No. 05-C-4425; N.D. IL	Sierra Club and American Bottom Conservancy	CAA	EPA committed to sign a response to a Title V veto petition for a hazardous waste incinerator in Illinois by February 1, 2006 and to pay a defined amount in attorneys' fees.	\$3036.66
1/27/2006	SA and CD	Sierra Club v. EPA; No. 05-1045; D.C. Circuit	Sierra Club	CAA	SA and CD settling petition for writ of mandamus requiring EPA to conduct notice and comment rulemaking to respond to the 1999 DC Circuit remand of the CAA section 111/129 MACT rule for hospital/medical/infectious waste incinerators.	\$11,500.00
2/1/2006	CD	Sierra Club v. EPA; No. 05-CV-02177; D. D.C.	Sierra Club	CAA	EPA committed to respond to Title V petitions regarding several power plants in Georgia by March 15, 2006.	\$6,800.00
4/19/2006	SA	Utility Air Regulatory Group v. EPA; No. 06-1056; D.C. Circuit	Utility Air Regulatory Group	CAA	The parties agreed to file a joint motion to dismiss a petition for review if EPA issued two guidance documents clarifying certain technical issues.	\$0.00
8/21/2006	CD	Our Children's Earth Foundation, et al. v. EPA; No. 05-05184; N.D. CA	Our Children's Earth Foundation and Sierra Club	CAA	EPA committed to take final action under 112(d)(6) for petroleum refineries in 40 CFR part 63, subpart CC within 12 months of entry of the decree.	\$14,123.34
10/2/2006	SA	Natural Resources Defense Council v. EPA; No. 06-1059; D.C. Circuit	Natural Resources Defense Council	CAA	EPA stipulated in the settlement agreement that the letter challenged in the litigation was not a final agency action and had no binding effect on states.	\$0.00
10/16/2006	CD	Kentuckians For The Commonwealth, et al. v. EPA; No. 1:06-CV-00184; D. D.C.	Kentuckians For The Commonwealth; Friends Of The Chattahoochee; Sierra Club	CAA	EPA committed to sign a proposed rule or a proposed or final determination of no revision for NSPS subparts OOO and Y within 18 months from entry of consent decree. And within 12 months from the proposal sign a final rule or a final determination of no revision.	\$16,092.00
12/13/2006	CD	Sierra Club v. EPA; No. 06-00663; D. NM	Sierra Club	CAA	EPA committed to take action on proposed FIP for Four Corners Power Plant by April 30, 2007. CD withdrawn 5/31/07. Fee agreement entered 11/11/2007.	\$14,360.00
1/5/2007	SA	American Founders' Society v. EPA; No. 04-1191; D.C. Circuit	American Founders' Society	CAA	EPA committed to propose revisions to the NESHAP for Iron and Steel Foundries not later than 30 days after settlement agreement became final.	\$0.00
2/12/2007	CD	Sierra Club, et al. v. EPA; No. 1:06-CV-1523; N.D. GA	Sierra Club; Coosa River Basin Initiative	CAA	EPA agreed to respond to several CAA Title V petitions regarding several power plants in Georgia by January 8, 2007.	\$12,000.00
2/14/2007	SA	Center for Biological Diversity, et al. v. EPA; No. 1:06-CV-01350; D.C. Circuit	Center for Biological Diversity; Preston Forsythe; Hilary Lambert	CAA	Respond to a petition for rulemaking to amend the Kentucky SIP to address credible evidence. Make a completeness determination and take final action on a Title V permit application for TVA Paradise Plant.	\$22,500.00
3/20/2007	SA	Our Children's Earth Foundation v. EPA; No. 05-73130; 9th Circuit	Our Children's Earth Foundation	CAA	EPA committed to send the letter in the Attachment to the settlement agreement whereby the Petitioner will dismiss the case with prejudice. However, if EPA does not send the letter, EPA may withdraw from the settlement agreement and Petitioner may reactivate the litigation.	\$18,000.00

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3/22/2007	SA	Pasadena Refining Systems, Inc. v. EPA; No. 04-60982; 5th Circuit	Pasadena Refining Systems, Inc.	CAA	EPA committed to provide a temporary waiver from nonroad diesel standards.	\$0.00
3/22/2007	SA	Pasadena Refining Systems, Inc. v. EPA; No. 04-60551; 5th Circuit	Pasadena Refining Systems, Inc.	CAA	EPA committed to provide a temporary waiver from nonroad diesel standards.	\$0.00
5/4/2007	CD	Sierra Club v. EPA; No. 06-5288; N.D. CA	Sierra Club	CAA	EPA committed to review, and if appropriate, propose revisions to the NSPS for portland cement plants by May 31, 2008 and finalize any revisions, or determine that revisions were not necessary, by May 31, 2009.	\$35,275.00
5/14/2007	SA	State of New Jersey v. EPA; No. 07-612; D. NJ	State of New Jersey	CAA	EPA agreed to respond to a Title V petition seeking an objection to a permit issued by PADEP to Reliant Energy's Portland Generation Station by 6/20/07	\$3,700.00
5/14/2007	SA	New Jersey Department of Environment v. EPA; No. 07-3746; 3rd Circuit	New Jersey Department of Environment	CAA	EPA committed to make a determination by 6/22/11 on New Jersey's petition to reopen the Title V permit of Portland Generating Station.	\$0.00
5/17/2007	CD	Rocky Mountain Clean Air Action, et al. v. EPA; No. 1:06-CV-01992; D. D.C.	Jeremy Nichols; Rocky Mountain Clean Air Action	CAA	Respond to a Title V petition seeking an objection to a permit issued to the GCC Dakota cement plant by 6/15/07.	\$4,895.00
5/22/2007	SA	Environmental Defense, Inc., et al. v. EPA; No. 06-1164; D.C. Circuit	Environmental Defense, Inc.; Natural Resources Defense Council; Sierra Club	CAA	Issue quantitative analysis guidance for PM conformity hot spot analyses.	\$945.69
7/9/2007	SA	Steel Manufacturers Association, et al. v. EPA; No. 05-1135; D.C. Circuit	Steel Manufacturers Association; America Iron and Steel Institute	CAA	EPA committed to sign, within 15 days, a letter explaining EPA's position regarding the proper use of continuous opacity monitoring system (COMS) data with respect to the 40 CFR Part 60, Subparts AAa and AAa NSPS for electric arc furnace (EAF) steel facilities.	\$0.00
8/20/2007	SA	Ingersoll-Rand Company v. EPA; No. 98-1597; D.C. Circuit	Ingersoll-Rand Company	CAA	EPA committed to propose amendments to Tier 3 non-road diesel engine standards relating to additional flexibilities for certain equipment manufacturers.	\$0.00
9/7/2007	SA	Specialty Steel Industry of North America, et al. v. EPA; No. 00-1434; D.C. Circuit	Specialty Steel Industry of North America; Steel Manufacturers Association	CAA	EPA committed to sign, within 15 days, a letter explaining EPA's position on a discrete issue.	\$0.00
9/13/2007	SA	Rocky Mountain Clean Air Action v. EPA; No. 07-1333; D.C. Circuit	Rocky Mountain Clean Air Action	CAA	EPA committed to take different alternative actions regarding the Denver ozone nonattainment area (an Early Action Compact area) depending on whether it attained the ozone standard.	\$26,200.00
9/17/2007	CD	American Lung Association of Metropolitan Chicago, et al. v. EPA; No. 06-CV-6933; N.D. IL	American Lung Association of Metropolitan Chicago; Chicago Citizens Against Ruining the Environment; Environmental Law & Policy Center; Little Village Environmental Justice Organization; Sierra Club	CAA	EPA committed to respond to a CAA Title V petition regarding permits for the Fisk Generating Station and the Crawford Generating Station by 5 business days after the entry of the consent decree.	\$3,075.00
9/17/2007	CD	People of the State of Illinois ex rel. Madigan v. EPA; No. 1:06-CV-06909; N.D. IL	People of the State of Illinois ex rel. Madigan	CAA	EPA committed to respond to several CAA Title V petitions by 5 days after the decree is entered.	\$7,621.00
9/17/2007	CD	Citizens Against Ruining the Environment v. EPA; No. 06-CV-6915; N.D. IL	Citizens Against Ruining the Environment	CAA	EPA committed to sign responses to Title V veto petitions for two coal fired power plants in Illinois within 5 days after entry of the consent decree and to pay a defined amount in attorneys' fees.	\$3,075.00
10/23/2007	CD	Sierra Club v. EPA; No. 07-C-0154; W.D. WI	Sierra Club	CAA	EPA committed to respond within ten days of entry of the Consent Decree, to petitions regarding the Title V permits for the Walnut Street Heating Plant and a Louisiana Pacific Facility.	\$3,454.66
10/24/2007	CD	Sierra Club v. EPA; No. 1:07-CV-00414; D. D.C.	Sierra Club	CAA	EPA committed to respond to a CAA Title V petition by August 30, 2007.	\$0.00
11/6/2007	CD	Sierra Club v. EPA; No. 1:07-cv-01040; D. D.C.	Sierra Club	CAA	EPA committed respond to a CAA Title V petition by December 19, 2007.	\$4,898.00
11/19/2007	CD	Center for Biological Diversity, et al. v. EPA; No. 05-1814; D.D.C.	Center for Biological Diversity; Valley Watch, Inc.; Preston Forsythe; Tina Johnson; Jeremy Nichols	CAA	EPA committed to sign a notice of proposed rulemaking concerning primary and secondary NOx and SOx NAAQS by 7/12/2011 and finish a final rule for the secondary NO2 and SO2 NAAQS by 03/20/12.	\$55,145.00
1/17/2008	SA	Battery Council International v. EPA; No. 07-1364; D.C. Circuit	Battery Council International	CAA	EPA committed to make a minor technical correction to the area source NESHAP applicable to lead acid battery manufacturers.	\$0.00

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3/25/2008	SA	Coke Oven Environmental Task Force v. EPA; No. 06-1131; D.C. Circuit	Coke Oven Environmental Task Force	CAA	Petitioners agreed to dismiss if EPA committed to sign a proposed or "direct final" rulemaking containing amendments to the Steam Generating Units NSPS.	\$0.00
5/14/2008	SA	National Environmental Development Association's Clean Air Project v. EPA; No. 06-1428; D.C. Circuit	National Environmental Development Association's Clean Air Project	CAA	EPA committed (1) to use certain language in the first Applicability Determination Index Posting Notice signed after the Settlement Agreement became final and (2) to provide a new search capability for users of the ADI no later than 30 days after the Settlement.	\$0.00
6/4/2008	SA	Sierra Club, et al. v. EPA; No. 06-CV-4000; N.D. IL	American Bottom Conservancy; Sierra Club	CAA	EPA committed to deny or propose to issue a CAA Title V permit by a specified date; issue or deny the permit by July 18, 2008 and September 12, 2008.	\$7,250.00
6/9/2008	CD	Desert Rock Energy Company, LLC et al. v. EPA; No. 4:08-cv-00872; S.D. TX	Desert Rock Energy Company, LLC; The Dine Power Authority	CAA	EPA committed to issue final permit decision (prior to appeal by EAB) on or before July 31, 2008.	\$41,942.25
9/12/2008	CD	Association of Irrigated Residents et al. v. EPA; No. 08-0227; N.D. CA	Association of Irrigated Residents; Natural Resources Defense Council	CAA	EPA committed to take action on SIP submittals.	\$44,566.00
1/15/2009	SA	Portland Cement Association v. EPA; No. 07-1046; D.C. Circuit	Portland Cement Association	CAA	EPA committed to consider revisions to the 2006 cement NESHAP rules.	n/a
3/3/2009	CD	Rocky Mountain Clean Air Action; WildEarth Guardians v. EPA; No. 1:08-cv-01422; D. D.C.	Rocky Mountain Clean Air Action; WildEarth Guardians	CAA	EPA committed to respond by April 20, 2009 to a Title V petition regarding CEMEX Inc.'s cement plant.	\$8,526.02
3/16/2009	CD	Environmental Integrity Project, et al. v. EPA; No. 1:09-cv-00088; D. D.C.	Citizens for Environmental Justice; Environmental Integrity Project; Refinery Reform Campaign	CAA	EPA committed to take final action on a Title V petition for CITGO Refining and Chemicals Company by April 30, 2009.	\$4,500.00
3/19/2009	CD	Environmental Integrity Project v. EPA; No. 1:09-cv-00087; D. D.C.	Environmental Integrity Project	CAA	EPA committed to take final action on a Title V petition for Premcor Refining Group by April 30, 2009.	\$4,500.00
5/21/2009	CD	BCCA Appeal Group, et al. v. EPA; No. 3:08-cv-1491; N.D. TX	BCCA Appeal Group; Texas Association of Business; Texas Oil and Gas Association	CAA	EPA committed to taking final action on a number of Texas SIP submissions between now and the end of 2013.	\$73,452.50
5/22/2009	SA	American Petroleum Institute v. EPA; No. 06-1321; D.C. Circuit	American Petroleum Institute	CAA	EPA committed to propose a rulemaking including certain compliance provisions of the NSPS for Compression-Ignition stationary engines by May 22, 2010 (this has been done) and to take final action on the proposal by one year after the publication of the proposal, which is June 8, 2011.	\$0.00
6/1/2009	CD	Sierra Club, et al. v. EPA; No. 1:08-cv-1999; D. D.C.	Center for Biological Diversity; Hilary Lambert; Preston Forsythe; Sierra Club	CAA	EPA committed to respond to a Title V petition regarding Tennessee Valley Authority's Paradise Fossil Plant by June 13, 2009.	\$0.00
6/2/2009	CD	Sierra Club v. EPA; No. 08-c-664; W.D. WI	Sierra Club	CAA	EPA committed to respond to a Title V petition regarding Wisconsin Electric Power Company's Oak Creek Power Plant by May 29, 2009.	\$2,787.06
6/18/2009	SA	Alliance of Automobile Manufacturers v. EPA; No. 08-1109; D.C. Circuit	Alliance of Automobile Manufacturers	CAA	Petitioner agreed to dismiss if EPA proposed a rulemaking and finalized amendments to the Gasoline Distribution Area Source NESHAP.	\$0.00
8/21/2009	SA	Colorado Citizens Against Toxic Waste, Inc. et al. v. EPA; No. 1:08-cv-1787; D.CO	Colorado Citizens Against Toxic Waste, Inc.; Rocky Mountain Clean Air Action	CAA	EPA committed to take the following steps: (a) create a website dedicated to 40 CFR Part 61, subpart W (subpart W); (b) post and maintain on the website EPA's tentative timeframe for completing its review of subpart W; (c) post an announcement on the website.	\$0.00
9/8/2009	CD	WildEarth Guardians v. EPA; No. 1:08-cv-02253; D. D.C.	WildEarth Guardians	CAA	EPA committed to act on plaintiff's Title V petition to object to the Title V permit for the Anadarko Frederick Compressor station in Colorado by October 12, 2009.	\$4,884.00
9/8/2009	CD	Association of Irrigated Residents v. EPA; No. 4:08-cv-5650; N.D. CA	Association of Irrigated Residents	CAA	EPA committed to take proposed and final action under section 110(k) on SIP submissions by CARB for the San Joaquin Valley area.	\$11,500.00
9/22/2009	CD	Sierra Club v. EPA; No. 3:09-cv-00122; W.D. WI	Sierra Club	CAA	EPA committed to respond to a Title V petition regarding Wisconsin Power & Light Company's Columbia Generating Station by September 18, 2009, or within 20 days of the entry date of the CD, whichever date was later.	\$2,057.54
10/16/2009	CD	Sierra Club v. EPA; No. 2:09-CV-00085; E.D. KY	Sierra Club	CAA	EPA committed to respond to a Title V petition regarding Hugh L. Spurlock Generating Station (Spurlock Station), operated by the East Kentucky Power Cooperative, Inc. EPA committed to respond to one of the issues by September 21, 2009, and the remaining issues by November 30, 2009.	\$0.00

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10/30/2009	SA	Mossville Environmental Action Now, et al. v. EPA; No. 1:08-cv-1803; D. D.C.	Louisiana Environmental Action Network; Mossville Environmental Action Now; Sierra Club	CAA	EPA committed to propose NESHAP for major PVC production facilities (PVC MACT standards) by Oct. 29, 2010 (subsequently extended to Apr 15, 2011) and finalize standards by July 29, 2011 (subsequently extended to Jan. 13, 2012).	\$8,000.00
11/3/2009	CD	Sierra Club, et al. v. EPA; No. 1:09-cv-00312; D. D.C.	Sierra Club; Valley Watch	CAA	EPA committed to respond to Plaintiffs' Title V petitions regarding the Cash Creek Generating Station by Dec. 14, 2009.	\$2,847.64
11/14/2009	CD	Sierra Club v. EPA; No. 1:09-cv-1028; D. D.C.	Sierra Club	CAA	EPA committed to respond to Plaintiffs' Title V petition regarding the Dale Power Station by Dec. 15, 2009.	\$4,000.00
11/24/2009	SA	Environmental Integrity Project, et al. v. EPA; No. 1:09-cv-1025; D. D.C.	Environmental Integrity Project; Sierra Club	CAA	EPA committed to respond to Title V petition on AEP/SWEPCO's Turk power plant by 12/15/2009.	\$6,312.83
12/30/2009	CD	Association of Irrigated Residents v. EPA; No. 4:09-cv-1890; N.D. CA	Association of Irrigated Residents	CAA	EPA committed to take final action on San Joaquin Valley Unified Air Pollution Control District Rules 2020 and the portion of Rule 2201 submitted to EPA for review by March 15, 2010.	\$16,500.00
1/29/2010	CD	Comite Civico Del Valle, Inc v. EPA; No. 4:09-cv-04095; N.D. CA	Comite Civico Del Valle, Inc	CAA	EPA committed to take final action under section 110(k) on a SIP submission from CARB for the Imperial Valley area concerning specific local rules for PM10.	\$33,000.00
2/2/2010	CD	WildEarth Guardians v. EPA; No. 1:09-cv-2148 ; D. CO	WildEarth Guardians	CAA	EPA committed to take final action on numerous SIP submittals by various dates set forth in the agreement and CD.	\$16,000.00
2/4/2010	CD	WildEarth Guardians, et al. v. EPA; No. 1:09-cv-00089; D. D.C.	San Juan Citizens Alliance; WildEarth Guardians	CAA	EPA committed to issue a proposed action on oil and gas NSPS/MACT review by April 29, 2011 and take final action by November 30, 2011.	\$32,000.00
2/5/2010	CD	Environmental Integrity Project, et al. v. EPA; No. 1:09-cv-00218; D.D.C.	Environmental Integrity Project; Sierra Club	CAA	Following the CD amendments, EPA committed to sign a proposed rule to revise NSPS Subpart G (Nitric Acid Plants) by September 30, 2011 and sign a final rule by November 15, 2011. (Note that we are currently in discussions with Plaintiffs to extend this final rule)	\$8,000.00
2/23/2010	CD	WildEarth Guardians v. EPA; No. 4:09-cv-2453; N.D.CA	WildEarth Guardians	CAA	EPA committed to meet its FIP obligations for unmet SIP obligations under section 110(a)(2)(D)(i) for both the 1997 8-hour ozone NAAQS and the 1997 PM2.5 NAAQS for 7 states.	\$22,420.00
3/1/2010	SA	State of New Jersey v. EPA; No. 08-4818; 3rd Circuit	Department of Environmental Protection State of New Jersey	CAA	EPA committed to make a determination within one year on New Jersey's petition to reopen the Title V permit of Portland Generating Station by 6/22/11.	\$0.00
3/9/2010	CD	WildEarth Guardians v. EPA; No. 09-cv-02109; D. CO	WildEarth Guardians	CAA	EPA committed to take final action on a proposed SIP Call for the Utah breakdown rule by March 31, 2011.	\$4,588.50
3/22/2010	CD	WildEarth Guardians v. EPA; 1:09-cv-01964; D. CO	WildEarth Guardians	CAA	EPA committed to respond to a Title V petition on Public Service Company of Colorado's Hadryn Station Power Plant by March 25, 2010.	\$3,520.00
4/14/2010	CD	Environmental Integrity Project, et al. v. EPA; No. 1:10-cv-165; D. D.C.	Environmental Integrity Project; Baltimore Harbor Waterkeeper, Inc.; Clean Water Action; Chesapeake Climate Action Network	CAA	EPA committed to take final action on a Title V petition for the Wheelabrator Municipal Solid Waste Incinerator by April 15, 2010.	\$0.00
4/15/2010	CD	American Nurses Association, et al. v. EPA; No. 1:08-cv-2198; D. D.C	American Nurses Association; Chesapeake Bay Foundation Inc.; Conservation Law Foundation; Environment America; Environmental Defense Fund; Izaak Walton League of America; Natural Resources Council of Maine; Natural Resources Defense Counsel; Physicians for Social Responsibility; Sierra Club; Ohio Environmental Council; Waterkeeper Alliance, Inc.; Earthjustice; Clean Air Task Force; Southern Environmental Law Center	CAA	EPA committed to sign proposed section 112(d) standards for coal- and oil-fired electric utility steam generating units by March 16, 2011, and sign final section 112(d) standards for such by November 16, 2011.	\$0.00
4/28/2010	SA	Louisiana Environmental Action Network v. EPA; No. 1:09-cv-1943; D. D.C.	Louisiana Environmental Action Network	CAA	EPA committed to take final action to grant or deny plaintiff's petition to object by May 28, 2010.	\$5,000.00
6/8/2010	CD	Sierra Club v. EPA; No. 3:09-cv-751; W.D. WI	Sierra Club	CAA	EPA committed to respond to a Title V petition on Wisconsin Public Service Corporation's J.P. Pulliam Generating Station by June 4, 2010.	\$2,624.71

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6/21/2010	SA	Navistar, Inc v. EPA; No. 09-1113, D.C. Circuit	Navistar, Inc	CAA	EPA committed to engage in a public workshop, hearing or other public process to reexamine its policies for operation of SCR equipped engines without proper reduction fluid or when tampering is detected.	\$0.00
6/21/2010	SA	Navistar, Inc v. EPA; No. 09-1317, D.C. Circuit	Navistar, Inc	CAA	EPA committed to engage in a public workshop, hearing or other public process to reexamine its policies for operation of SCR equipped engines without proper reduction fluid or when tampering is detected.	\$0.00
6/24/2010	SA	Environmental Integrity Project, et al. v. EPA; No. 1:09-cv-2322; D. D.C.	Environmental Integrity Project; Environment Maryland	CAA	EPA agreed to take final action on a Title V petition for Luke Paper Company Pulp and Paper Mill by October 18, 2010.	\$6,100.00
7/6/2010	CD	Sierra Club v. EPA; No. 4:09-cv-152; N.D. CA	Sierra Club	CAA	EPA agreed to take proposed action and final action on technology and residual risk review for 28 source categories by the deadlines specified in the CD.	n/a
7/14/2010	CD	Sierra Club, et al. v. EPA; No. 1:10-cv-133; D. D.C.	Sierra Club WildEarth Guardians	CAA	EPA committed to take final action under section 110(k) on SIP submissions required by section 110(a)(1) and (2) for the 1997 8-hour ozone NAAQS for 21 states.	\$8,000.00
7/15/2010	SA	American Chemistry Council v. EPA; No. 09-1325; D.C. Circuit plus 5 other consolidated settlements	American Chemistry Council	CAA	EPA agreed to make a number of technical changes to the Greenhouse Gas Monitoring and Reporting Rules.	\$0.00
7/15/2010	CD	American Bottom Conservancy v. EPA; No. 3:10-cv-292; S.D. IL	American Bottom Conservancy	CAA	EPA agreed to respond to a Title V petition regarding US Steel Corporation's Granite City Works Facility by December 17, 2010, or 30 days after entry of the CD, whichever was later.	\$3,840.00
8/16/2010	CD	Sierra Club v. EPA; No. 3:10-cv-127; W.D. WI	Sierra Club	CAA	EPA agreed to respond to a Title V petition regarding Edgewater Generating Station in Sheboygan County, WI by August 20, 2010, or within 20 days after entry of the CD, whichever date was later.	\$3,223.38
8/31/2010	CD	Comite Civico Del Valle, Inc v. EPA; No. 10-00946; N.D. CA	Comite Civico Del Valle, Inc	CAA	EPA committed to take final action under section 110(k) on a SIP submission from CARB for the Imperial Valley area containing a local rule for PM10.	\$18,062.50
9/8/2010	CD	Sandra L. Bahr, et al. v. EPA; No. 2:09-cv-2511; D. AZ	David Matusow, Drane E Brown, Sandra L. Bahr	CAA	EPA committed to take proposed and final action under section 110(k) on a SIP submission from Arizona for the Maricopa area containing SIP revisions for PM10 required by section 189(d).	\$12,003.00
11/23/2010	SA	Louisiana Environmental Action Network v. EPA; No. 1:09-cv-01333; D. D.C.	Louisiana Environmental Action Network	CAA	EPA committed to take action on certain SIP revisions related to ozone severe area NSR requirements and will take final action by Sept 30, 2012 if EPA has not taken final action redesignating the Baton Rouge area by Feb 28, 2012.	\$0.00
12/13/2010	CD	Comite Civico Del Valle, Inc. v. EPA; No. 4:10-cv-2859; N.D. CA	Comite Civico Del Valle, Inc.	CAA	EPA committed to take final action under section 110(k) on a SIP submission from CARB for the Imperial Valley area containing local rules.	\$18,535.00
12/21/2010	SA	State of New York v. EPA; settlement of threatened litigation	State of New York	CAA	EPA committed to sign a proposed Electric Generating Unit GHG NSPS rule for new and existing EGUs by July 26, 2011 and sign a final rule by May 26, 2012.	\$0.00
12/21/2010	SA	American Petroleum Institute, et al. v. EPA; No. 08-1279; 1281; D.C. Circuit	The States of California; Connecticut; Delaware; Maine; New Hampshire; New Mexico; Oregon; Rhode Island; Vermont; and Washington; the Commonwealth of Massachusetts; the District of Columbia; the City of New York; Natural Resources Defense Council; Sierra Club; and Environmental Integrity Project	CAA	EPA committed to sign a proposed rule by December 10, 2011, and sign a final rule by November 10, 2012, that addresses the following: (A) standards of performance for GHGs for affected facilities at refineries that are subject to the following NSPS: (1) subparts J and Ja, (2) subpart Db, (3) subpart Dc, (4) subpart GGG, and (5) subpart QQQ, and emissions guidelines for GHGs from existing affected facilities at refineries in the source categories covered by those NSPS; (B) a review of the emission standards set forth in 40 C.F.R. Part 63, subpart UU; and (C) a proposed resolution of all other issues raised in Environmental Petitioners' August 25, 2008 petition for administrative reconsideration.	\$0.00
1/10/2011	CD	WildEarth Guardians v. EPA; No. 1:10-cv-1672; D. CO	WildEarth Guardians	CAA	EPA committed to take final action on the petition to object to the permit for the Pawnee power plant by June 30, 2011, for the Valmont power plant by September 30, 2011 and for the Cherokee power plant by October 31, 2011.	\$2,600.00
1/11/2011	CD	Sierra Club v. EPA; No. 3:10-cv-1954; N.D. CA	Medical Advocates for Healthy Air; Sierra Club	CAA	EPA committed to take final action on the San Joaquin Valley 1997 8-hour ozone plan no later than Dec 15, 2011.	\$11,507.00

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1/12/2011	CD	Association of Irrigated Residents v. EPA; No. 3:10-cv-3051; N.D. CA	Association of Irrigated Residents	CAA	EPA committed to take final action under section 110(k) on a PM2.5 nonattainment area SIP submitted by CARB for the San Joaquin Valley area.	\$19,000.00
1/14/2011	CD	Sierra Club, et al. v. EPA; No. 1:10-cv-889; D. D.C.	Kentucky Environmental Foundation; Sierra Club	CAA	EPA committed to: 1. on or before April 15, 2011 to sign a notice of final action for KY's May 27, 2008 110(a) maintenance plan SIP submittals; and 2. on or before March 15, 2012 to sign a notice of final action on KY's June 25, 2008 regional haze SIP submittal.	\$6,387.35
1/31/2011	CD	WildEarth Guardians v. EPA; No. 1:10-cv-01218-REB; D. CO	WildEarth Guardians	CAA	EPA committed to propose action by 4/30/12 on Utah regional haze SIP and take final action by 10/31/12; and take final action by 12/1/11 on Utah request to redesignate two areas to attainment.	\$5,973.97
2/3/2011	SA	Center for Biological Diversity v. EPA; No. 3:10-cv-1846; N.D. CA	Center for Biological Diversity	CAA	EPA committed to memorializing PM10 historic attainment status of various areas.	\$0.00
2/8/2011	CD	Natural Resources Defense Council, et al. v. EPA; No. 2:10-cv-6029; N.D. CA	Coalition for a Safe Environment; Natural Resources Defense Council	CAA	EPA committed to take final action by Sept 30, 2011 on the 1997 PM2.5 standard SIP for the SCAQMD and by Dec 15, 2011 on the 1997 ozone standard SIP for SCAQMD.	n/a
2/22/2011	CD	Sierra Club v. EPA; No. 1:10-cv-859; D. D.C.	Sierra Club	CAA	EPA committed to respond to a Title V petition regarding Tennessee Valley Authority's Paradise Fossil Plant by March 31, 2011. The consent decree contained a provision for the parties to modify the date by joint stipulation with notice to the court.	\$4,250.00
3/16/2011	SA	WildEarth Guardians, et al. v. EPA; No. 3:10-cv-4603; N.D. CA	WildEarth Guardians; Elizabeth Crowe	CAA	EPA committed to make findings of failure to submit "subpart 1" SIPs for the Las Vegas and Pittsburg 8-hour ozone nonattainment areas unless by May 31, 2011, EPA has signed a final rule classifying the area under "subpart 2," signed a final rule determining that the area has "clean data," or signed a final rule redesignating the area to attainment.	\$20,000.00
4/27/2011	SA	Sierra Club, et al. v. EPA; No. 10-1872RSL; W.D. WA	National Parks Conservation Association; Sierra Club; Northwest Environmental Defense Center	CAA	EPA committed to respond to a Title V petition by April 29, 2011.	\$6,207.92
7/1/2011	CD	WildEarth Guardians v. EPA; No. 6:10-cv-877; D. NM	WildEarth Guardians	CAA	EPA committed to sign a decision taking final action on plaintiffs' Title V petition on the Sims Mesa Central Delivery Point by April 29, 2011, or within 30 days of the court's entry of the consent decree.	\$2,800.00
9/20/2011	CD	Kentucky Environmental Foundation v. EPA; No. 1:10-cv-1814; D. D.C.	Kentucky Environmental Foundation	CAA	Court entered a Consent Decree on 9/20/11 requiring EPA to take action on the schedule agreed to by the parties.	n/a
9/27/2011	CD	WildEarth Guardians, et al. v. EPA; No. 1:11-cv-1; D. CO	WildEarth Guardians; Environmental Defense Fund	CAA	EPA committed to take action on ND SIP addressing Chapters 33-15-01 and 33-15-05 by 10/27/11; promulgate regional haze FIP or approve regional haze SIP for ND by 1/26/12, for MT by 05/29/12, for CO by 09/10/12, and for WY by 10/15/12.	\$23,545.00
10/6/2011	CD	Sierra Club v. EPA; No. 3:11-cv-236; W.D. WI	Sierra Club	CAA	EPA committed to respond to a Title V petition by October 7, 2011 or 30 days after entry of the CD, whichever is later.	\$5,000.00